

7
SECRET

COPY No

25

**REPORT
OF THE
COURT OF INQUIRY**

re

**SHOOTING OF PRISONERS OF WAR,
BY GERMAN ARMED FORCES**

at

**MOUEN
CALVADOS, NORMANDY**

17 JUNE, 1944

SECRET

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Canadian Military Headquarters (to include H.Q. First Cdn Army).	14,15,16.
21 Army Group (for D.J.A.G.).	17.
ETOUSA (for J.A.G.).	18.
Maj Gen Barker.	19.
Brig. Tarleton.	20.
Brig. Macklin.	21.
Lt.Col. Blackhurst.	22.
Lt.Col. McClain.	23.
Secretary to the Court.	24.
Spares.	25-30.

PART ONE

PROCEEDINGS OF A COURT OF INQUIRY

assembled in the Field
pursuant to an order of the
Supreme Commander,
Allied Expeditionary Force,
dated 24th July, 1944.

P A R T I.

25 July 1944.

The Court assembled at Main Headquarters,
First Canadian Army, at 1400 hours on Tuesday,
25th July, 1944.
PRESENT were:-

PRESIDENT:

Major General R.W. BARKER, U.S. Army.

MEMBERS:

Brigadier G.W.B. TARLETON, DSO, MC.
BGS (Liaison) Second Army.

Brigadier W.H.S. MACKLIN, Commander
13 Canadian Infantry Brigade.

Lieut-Colonel W. BLACKHURST, OBE.
ADJAG 21 Army Group.

Lieut-Colonel J.W. McCLAIN, ED.
AAG (MS) First Canadian Army.

IN ATTENDANCE:

Major JOHN P. PAGE, ED. Secretary
to the Court.

First Lieut. J.W. BISHOP, JAGD,
U.S. Army.

1. The Court considered the sworn statements of various witnesses and made preliminary arrangements for the inquiry. At 1600 hours it proceeded to Mouen for an inspection of the locus in quo, returning at 2000 hours. At 2115 hours a further conference was held with reference to the following days' hearings. It was decided to have the draughtsman make the chart of the area more graphic and more complete. The Court adjourned at 2145 hours.

26 July, 1944.

2. The Court assembled at Main Headquarters, First Canadian Army, at 0900 hours on 26th July, 1944.

3. The Members of the Court were sworn by the Secretary. The Secretary was sworn by the President. Captain Morrison, R.C.M.P., was sworn as Interpreter by the Secretary. S.Q.M.S. G.J. Norwood and Staff-serjeant F.H. Lovett, R.A.S.C. (Brit.) and Corporal De La Durante, C.M.S.C. (French speaking), the appointed shorthand writers

- (d) M. JAN BUDOWSKI, Mouen, Calvados, France, whose recorded evidence is attached hereto and marked Exhibit "5".

8. At 1600 hours the Court, accompanied by the two last-mentioned witnesses, adjourned to the locus in quo and made a detailed inspection of the area, including the grave from which seven bodies had been recovered.

9. The Court resumed the examination of witnesses at 2100 hours at Main Headquarters, First Canadian Army; the following witness was examined on oath:-

- (e) Lieut-Col. R.A.H. MacKEEN, First Canadian Base Laboratory, R.C.A.M.C., whose recorded evidence is attached hereto and marked Exhibit "6".

The Court adjourned at 2130 hours.

27 July 1944

10. The Court assembled at 0900 hours on 27th July, 1944, at Main Headquarters, First Canadian Army, and proceeded with the examination of the witnesses. The following witnesses were examined on oath:-

- (a) Captain J. BORNOFF, Intelligence Officer, H.Q., Second British Army, whose recorded evidence is attached hereto and marked Exhibit "7".
- (b) Lieutenant W. GILLING, C.Pro. C., 1 Cdn S.I.S., whose recorded evidence is attached hereto and marked Exhibit "8".
- (c) B211172 Serjeant J.R. FROST, C. Pro. C., 1 Cdn S.I.S., whose recorded evidence is attached hereto and marked Exhibit "9".
- (d) M. MAURICE R. PELE, Mouen, Calvados, France, whose recorded evidence is attached hereto and marked Exhibit "10".
- (e) Mlle. YVONNE PELE, Mouen, Calvados, France, whose recorded evidence is attached hereto and marked Exhibit "11".
- (f) 2316448 Corporal N.J. BREALEY, 521 Field Survey Company, R.E., whose recorded evidence is attached hereto and marked Exhibit "12".

The Court adjourned at 1700 hours.

28 July 1944.

11. The Court assembled at 0900 hours on 28th July 1944 at Main Headquarters, First Canadian Army, and proceeded with the examination of the witness. The following witnesses were examined on oath:-



View of grave of 7 Canadian soldiers. Rough cross "7 Canadians R.I.P." erected by British troops some time after burial.

3-A

P A R T T W O

SEC. I. FINDINGS OF THE COURT

1. (a) That seven Canadian soldiers met their deaths in a field on the outskirts of the village of Mouen, Normandy, on or about 17th June, 1944.

(b) The numbers, ranks, names and units of the said soldiers are set out below:-

<u>No.</u>	<u>Rank.</u>	<u>Name.</u>	<u>Unit.</u>
B49476	Tpr.	PERRY, C.J.	Canadian Armoured Corps
B43258	Sjt.	McLAUGHLIN, T.C.	Queen's Own Rifles of Can.
	Rfn.	CAMPBELL, J.R.	Queen's Own Rifles of Can.
B138240	Rfn.	WILLETT, C.L.	Queen's Own Rifles of Can.
B138483	Rfn.	CRANFIELD, E.	Queen's Own Rifles of Can.
B144191	Cpl.	COOK, E.	Queen's Own Rifles of Can.
B42653	Rfn.	BULLOCK, P.	Queen's Own Rifles of Can.

2. (b) That all the above named soldiers were murdered by the German armed forces in violation of the well recognized laws and usages of war and the terms of the Geneva Convention of 1929.

(b) That the above named soldiers were at the time of their deaths prisoners of war and entitled to treatment as such.

3. That the said soldiers were, on the date of their deaths, in the custody of a detachment of the 12th S.S. Panzer Engineer Battalion, probably the Third Company of that battalion.

4. That the commanding officer of the said battalion was a certain Sturmbannfuhrer ("Major") Muller, but there is no evidence to show whether the Headquarters of the battalion or its commanding officer were present in Mouen on the date of the incident.

5. That one or more of the officers or NCO's of the said battalion were responsible for the murder of the said Canadian soldiers.

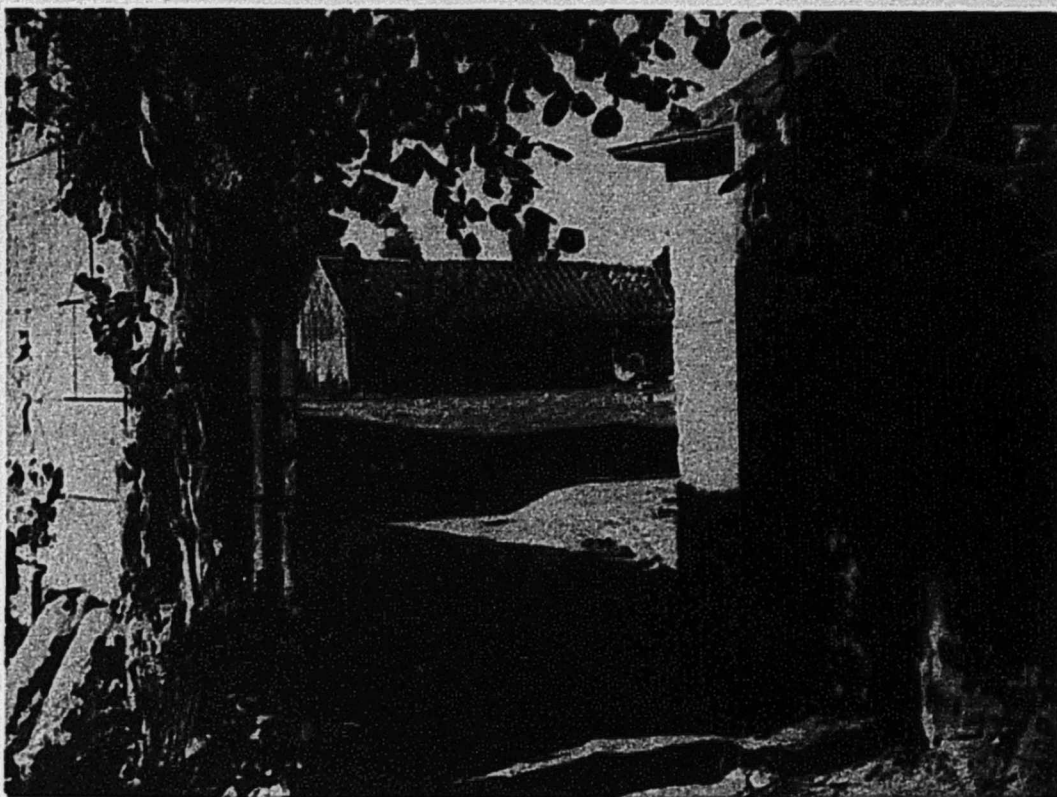
6. That fourteen German soldiers who escorted the said Canadian soldiers to the place where they were murdered, and whose names, with one exception, are at present unknown to the Court are equally implicated with their officers or NCO's in the said murder. The exception referred to is S.S. Mann Alfred Friedrich, now deceased.

SEC. II SUMMARY

A. FACTS

7. On or about 9th June 1944, the 12th S.S. Panzer Engineer Battalion, part of the 12th S.S. Panzer Division (Hitler Jugend) arrived at the village of Mouen, Calvados. A detachment of the battalion, numbering some 25 or thereabouts, was quartered in the grounds of a house belonging to and occupied by M. Alexis Stilliere, the Mayor of the village.

8. At about 1800 hours on 17 June 1944, seven Canadian soldiers were marched, under escort of three German soldiers, into the yard of the Mayor's house. They were clad in British battledress and were without arms, equipment or headdress. Their uniforms bore the word "Canada" at the shoulders. Shortly after their arrival they were interrogated in a lean-to out-



Photograph looking N.E. into court-yard at Mayor's home from Point "B" (where A. Budowski stood), showing (Point "A") where prisoners were questioned.



Photograph looking South taken from court-yard at Mayor's house (Point "A"), showing back of house and gate at Point "B". M. and Mme. Stilliere watched the prisoners from the windows shown.

13. On 22 and 23 July, 1944, the grave at point "K" was opened and the bodies of seven Canadian soldiers exhumed therefrom, under the supervision of Lt.Col. R.A.H. MacKeen, a pathologist of the Royal Canadian Army Medical Corps. It was apparent that the bodies had been thrown indiscriminately into a common grave. No effort had been made to mark the grave, to give the bodies honourable burial or to fulfill any of the other duties imposed by Article 4 of the Geneva Convention, 1929. Lt.Col. MacKeen performed an autopsy on each body.

The bodies taken from the grave were those of the soldiers referred to in paragraph 1 above. The bodies bore the following wounds:

Tpr. PERRY, C.J.	Three small-calibre bullet wounds of chest and leg.
Sjt. McLAUGHLIN, T.C.	Two small-calibre bullet wounds of head, one from the front and one from the left side.
Rfn. CAMPBELL, J.R.	One small-calibre bullet wound of the head from the left side directed upwards.
Rfn. WILLETT, C.L.	One small-calibre bullet wound in the head from the front; three small-calibre bullet wounds of chest, arm and leg.
Rfn. CRANFIELD, E.	One small-calibre bullet wound of head from left side; one small-calibre bullet wound of right chest.
Cpl. COOK, E.	Two small-calibre bullet wounds of the back of the neck and two in the chest and shoulder.
Rfn. BULLOCK, P.	Two small-calibre wounds of the head from front and back, respectively.

From the examination of the bodies, the pathologist deduced that, in each of three cases, at least one wound had been inflicted when the body was in a prone position.

14. At all material times, and up to the 25th June 1944, a detachment of German soldiers occupied the house of M. Pele in the village of Mouen. On a date between 17th and 25th June 1944, this detachment was joined by the detachment previously quartered on M. Stilliere (the Mayor). The combined detachment was under the command of a German NCO or warrant officer who was first of all billeted at the Mayor's house. On or about the 26th June 1944, the body of a German soldier was found in the grounds of M. Pele's house at point "L" on the plan and was buried there. This body was later exhumed and proved to be the body of SS Mann ("Private") Alfred Friedrich of the Third Company, 12th S.S. Panzer Engineer Battalion. During the occupation of M. Pele's house, a sign bearing the inscription "MU" appears to have been placed in front of the house. At all material times a signpost bearing the inscription "MULLER P." was placed on a telegraph pole close to the Mayor's house and pointing in the direction of the Canivet farm, close to the Mouen church.



View from scene of shooting at Point "H", looking East toward grave at Point "K".



Uncovered grave during exhumation. Photograph illustrates manner in which bodies were thrown in grave, one on top of another.

7

PART THREE

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE
APO 757

EXHIBIT No. 1

SECRET
:Auth: SC, AEF:
:Initials HLA:
:24 July 1944:
:

AG 000.5-2 GAP-AGP

24 July 1944

SUBJECT: Appointment of Board

TO : All Concerned

1. A Court of Inquiry consisting of the following named officers is appointed, to meet at the call of the President, for the purpose of investigating and reporting upon the circumstances attending the deaths of a number of Allied soldiers, reported to have been killed by the enemy while prisoners of war, at or near Moun, Normandy, on or about 18 June 1944:

Major General RAY W. BARKER, USA, Supreme Headquarters, AEF	President
Brigadier G.W.B. TARLETON, DSO, MC, Hq. Second British Army	Member
Brigadier W.H.S. MACKLIN, Hq 13th Canadian Infantry Brigade	Member
Lt Col W. BLACKHURST, OBE, Hq 21 Army Gp	Member
Lt Col J. W. McCLAIN, ED, Hq First Canadian Army	Member
Major J.P. PAGE, ED, Canadian Military Headquarters	Secretary
1st Lt JOSEPH W. BISHOP, JAGD, Hq European Theater of Operations, US Army	In attendance (without vote)

2. In their report, the Court will state (inter alia):

a. The numbers, ranks, names and units of all soldiers and the names of all enemy units and/or formations in the neighborhood of the alleged incident at the time.

b. Whether at the time of their deaths the soldiers were entitled to be treated as prisoners of war.

c. Whether their deaths were caused by acts in violations of the laws and usages of war, and, if so, the names of the persons directly or indirectly responsible and their units and/or formations.

By command of General EISENHOWER:

(Sgd) E. C. Boehnke

E.C. BOEHNKE
Colonel, AGD
Adjutant General

DISTRIBUTION

Each member of the Court
Hq 21st Army Group
Canadian Military Hq (MGA)
Hq Second British Army
Hq First Canadian Army
G-1 Division
Secretary, General Staff
AG Records

EXHIBIT No. 2

- Q How were these six German soldiers armed, if they were armed?
- A They were carrying rifles and revolvers.
- Q Were they in the charge of an officer or a non-commissioned officer?
- A There was no officer with them, and I cannot say whether or not there was a non-commissioned officer in the group.
- Q Did the Lieutenant ever return again to the vicinity of these prisoners?
- A Not to my knowledge.
- Q Did they give any food to these prisoners while they were at your house?
- A No, they did not.
- Q Did you see anyone give an order for these prisoners to be taken away?
- A No. There must have been somebody who gave them an order, but I did not see it.
- Q Can you state the day on which these prisoners were brought to your house?
- A To the best of my knowledge it was Saturday the 17th.
- Q Do you believe that the escort which first brought in these prisoners was of the same unit as the one which was billeted with you?
- A I do not think so. I think they were sent from the front line with these three soldiers from another unit.
- Q At what hour were these prisoners taken away from your house?
- A About nightfall; at approximately 9.30 British Summer Time.
- Q Were the men who marched these prisoners away members of the unit which was billeted in your town?
- A They were from the group that were at Mouen, but I cannot say that they were amongst the group that were at my home.
- Q Have you had much opportunity to observe the German troops in the last three or four years?
- A Yes, I have.
- Q What appeared to be the discipline and the character of this unit which arrived at your village about June the 9th?
- A They were unbearable towards us and we regarded them as bandits.
- Q Was their behaviour towards the citizens better or worse than that of other German troops who had been there before?
- A Worse. These German S.S. troops who occupied Mouen raped the sixteen year old daughter of M. Basile as well as women in Tourville and Colleville. They looted in Mouen and other neighbouring parishes as well.
- Q Were there soldiers of any other nationality than German in this unit billeted with you?
- A I think that they were all German troops.

EXHIBIT No. 2

- Q Did you ever see amongst the troops that were billeted in Mouen at this time a red-headed German officer?
- A I saw one red-headed German soldier who was in the pasture across the road from my house. This German soldier was with the vehicle repair unit.
- Q Was this soldier one of the party that you saw march the prisoners away?
- A I could not tell because the escort were wearing steel helmets.
- Q Did any of the soldiers in that unit wear "Adolf Hitler" on their sleeves?
- A The officer and the non-commissioned officers wore the inscription "Adolf Hitler" on their sleeves, but I did not observe any of the men wearing it.
- Q Did this officer who lived at your house stay there throughout the period that they were in the village or did he move elsewhere?
- A This German unit that was at my home moved to M. Pele's place at Lower Mouen on or about the 19th June, 1944. They took their vehicles with them.
- Q Do you know why they moved?
- A They moved because of the danger of the Allied bombing.
- Q How much longer did this unit stay in your village; in other words about what date did they leave?
- A They left on or about Wednesday the 28th.
- Q Why did they leave?
- A Because of the spontaneous advance of the British troops.
- Q Was there any infantry fighting in the vicinity of Mouen prior to the arrival of the English on or about the 28th June?
- A There had been no fighting in Mouen until either the 24th or 25th of June.
- Q Had there been any German unit stationed in your village prior to the debarkation?
- A There have been German troops at Mouen since 1940.
- Q What sort of unit was it?
- A There were infantry units, anti-aircraft units, and some branch of the Luftwaffe.
- Q Was there any unit permanently stationed in the village?
- A They kept on changing; there was no permanent one. There were infantry troops at Mouen on the 6th June, 1944, and they moved out when the S.S. troops arrived.
- Q During the year or two preceding the Invasion when you had German troops in the parish where did the commanding officer usually billet?
- A At the Chateau of M. Pete's. There was in particular one German Air Force officer, a Captain, who resided at M. Pele's place for a period of eight months.
- Q Do you know his name?
- A No, I do not know his name, but M. Pele would know it.

(The witness withdraws).

- Q. Comment étaient armés ces six soldats allemands, si toutefois ils étaient armés?
R. Ils portaient des fusils et des revolvers.
- Q. Étaient-ils sous le commandement d'un officier ou d'un sous-officier?
R. Il n'y avait pas d'officier avec eux et je ne peux pas dire si, oui, ou non, il y avait un sous-officier dans le groupe.
- Q. Le lieutenant est-il revenu à proximité de ces prisonniers?
R. Pas à ma connaissance.
- Q. Ont-ils donné de la nourriture à ces prisonniers pendant qu'ils étaient chez vous?
R. Non, ils ne l'ont pas fait.
- Q. Avez-vous vu quelqu'un donner l'ordre d'emmener ces prisonniers?
R. Non. Quelqu'un doit leur avoir donné un ordre mais je ne l'ai pas vu.
- Q. Pouvez-vous désigner le jour où ces prisonniers furent amenés chez-vous?
R. Autant que je puisse dire, c'était le samedi 17.
- Q. Croyez-vous que l'escorte qui amena ces prisonniers au début appartenait à la même unité que celle qui était logée chez vous?
R. Je ne le crois pas. Je crois qu'ils étaient envoyés du front avec ces trois soldats d'une autre unité.
- Q. A quelle heure ces prisonniers furent-ils emmenés de votre maison?
R. Vers la tombée de la nuit; à environ 9.30. heure d'été britannique.
- Q. Est-ce que les hommes qui emmenaient ces prisonniers appartenaient à l'unité qui était logée dans votre village?
R. Ils étaient du groupe qui se trouvait à Mouden, mais je ne peux pas dire qu'ils étaient du groupe qui se trouvait dans ma maison.
- Q. Avez-vous eu beaucoup d'occasions d'observer les troupes allemandes au cours des trois ou quatre dernières années?
R. Oui.
- Q. Que semblaient être la discipline et le caractère de cette unité qui arriva dans votre village vers le 9 juin?
R. Ils étaient insupportables pour nous et nous les considérions comme des bandits.
- Q. Leur conduite envers les habitants était-elle meilleure ou pire que celle des autres troupes allemandes qui avaient séjourné là auparavant?
R. Pire. Ces troupes allemandes de S.S. qui occupaient Mouden ont violé la fille de M. Basile âgée de 16 ans, de même que des femmes à Tourville et Colleville. Ils ont pillé à Mouden, et dans d'autres communes avoisinantes de même.
- Q. Y avait-il des soldats d'une autre nationalité que les allemands dans cette unité logée chez vous?
R. Je crois qu'ils appartenaient tous aux troupes allemandes.
- Q. Avez-vous jamais vu, parmi les troupes logées à Mouden à cette époque, un officier allemand aux cheveux roux?
R. J'ai vu un soldat allemand aux cheveux roux qui était dans l'herbage de l'autre côté de la route en face de ma maison. Ce soldat allemand était avec l'unité de réparation de véhicules.
- Q. Ce soldat était-il du groupe que vous avez vu emmener les prisonniers?
R. Je ne pourrais pas dire, parce que l'escorte portait des casques d'acier.

- Q. Comment étaient armés ces six soldats allemands, si toutefois ils étaient armés?
R. Ils portaient des fusils et des revolvers.
- Q. Étaient-ils sous le commandement d'un officier ou d'un sous-officier?
R. Il n'y avait pas d'officier avec eux et je ne peux pas dire si, oui, ou non, il y avait un sous-officier dans le groupe.
- Q. Le lieutenant est-il revenu à proximité de ces prisonniers?
R. Pas à ma connaissance.
- Q. Ont-ils donné de la nourriture à ces prisonniers pendant qu'ils étaient chez vous?
R. Non, ils ne l'ont pas fait.
- Q. Avez-vous vu quelqu'un donner l'ordre d'emmener ces prisonniers?
R. Non. Quelqu'un doit leur avoir donné un ordre mais je ne l'ai pas vu.
- Q. Pouvez-vous désigner le jour où ces prisonniers furent amenés chez-vous?
R. Autant que je puisse dire, c'était le samedi 17.
- Q. Croyez-vous que l'escorte qui amena ces prisonniers au début appartenait à la même unité que celle qui était logée chez vous?
R. Je ne le crois pas. Je crois qu'ils étaient envoyés du front avec ces trois soldats d'une autre unité.
- Q. A quelle heure ces prisonniers furent-ils emmenés de votre maison?
R. Vers la tombée de la nuit; à environ 9.30. heure d'été britannique.
- Q. Est-ce que les hommes qui emmenaient ces prisonniers appartenaient à l'unité qui était logée dans votre village?
R. Ils étaient du groupe qui se trouvait à Mouen, mais je ne peux pas dire qu'ils étaient du groupe qui se trouvait dans ma maison.
- Q. Avez-vous eu beaucoup d'occasions d'observer les troupes allemandes au cours des trois ou quatre dernières années?
R. Oui.
- Q. Que semblaient être la discipline et le caractère de cette unité qui arriva dans votre village vers le 9 juin?
R. Ils étaient insupportables pour nous et nous les considérions comme des bandits.
- Q. Leur conduite envers les habitants était-elle meilleure ou pire que celle des autres troupes allemandes qui avaient séjourné là auparavant?
R. Pire. Ces troupes allemandes de S.S. qui occupaient Mouen ont violé la fille de M. Basile âgée de 16 ans, de même que des femmes à Tourville et Colleville. Ils ont pillé à Mouen, et dans d'autres communes avoisinantes de même.
- Q. Y avait-il des soldats d'une autre nationalité que les allemands dans cette unité logée chez vous?
R. Je crois qu'ils appartenaient tous aux troupes allemandes.
- Q. Avez-vous jamais vu, parmi les troupes logées à Mouen à cette époque, un officier allemand aux cheveux roux?
R. J'ai vu un soldat allemand aux cheveux roux qui était dans l'herbage de l'autre côté de la route en face de ma maison. Ce soldat allemand était avec l'unité de réparation de véhicules.
- Q. Ce soldat était-il du groupe que vous avez vu emmener les prisonniers?
R. Je ne pourrais pas dire, parce que l'escorte portait des casques d'acier.

RECORD OF THE EVIDENCE

of

Mme. ALICE STILLIERE

Mme. ALICE STILLIERE is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: (To the witness): Will you please state
to the Court your name and residence.

A Alice Stilliere, of Mouen, Calvados.

Q Are you the wife of the Mayor of Mouen?

A Yes.

Q Were there German troops in your village in the
period between June 8th and June 25th?

A One German, I think he might have been a lieutenant,
was stationed in the house on the Friday which
followed "D" day, the 9th June. This German officer
came and was stationed in my house. He was accompanied
by his serjeant and another man. There were the three
of them sleeping in the house and in the kitchen a few
men were sleeping.

Q Altogether, how many officers and men were there at
your house?

A Some lorries were stationed there in the fields. The
whole party amounted to about 25 people. Some of the
soldiers used to come and visit us from other parts
of the village, from other detachments.

Q Did you see any Canadian or British soldiers in the
vicinity of your home on or about the 17th June?

A Yes. About the 17th or 18th June seven British or
Canadian soldiers came into our yard. They seemed to
be very tired and they sat down in the yard.

Q Were you able to tell whether these soldiers in British
uniform who came to your house were Canadian or English?

A I think they were Canadians.

Q How could you tell that they were Canadians?

A They had nothing on their shoulders. They never spoke
to me. I gave them cider drinks when I was allowed to.
My husband knew and supposed they were Canadians but I
cannot tell why.

Q What became of these Canadian soldiers?

A They stayed there for some time and the German lieuten-
ant came, had a look at their papers for about an hour
and gave them back. They rested there for some time,
smoked cigarettes and the Germans took them further
away inside a shed in the yard. They took them there.
The British soldiers sat down, leaning against the wall.
The German party, including the German lieutenant,
never left them and two of the Germans were carrying
their rifles.

Q Are you sure that the German lieutenant stayed near
them all the time?

A The German lieutenant took them there himself into the
shed and sat down for a short while, near them for
about a quarter of an hour, then a German soldier came
to me. I was in the kitchen and he said to me: "Give

some drink to the Tommies". I went and brought some drink to the soldiers. They drank the cider. I could not speak to any of them. The Canadian soldiers never spoke to each other; they were keeping very quiet and they seemed very tired. I went back to my apartment and the British soldiers remained there, two German soldiers guarding them with rifles. That was between 7 and 8 o'clock in the evening. At about 10 o'clock I was looking out of the window and saw the British soldiers going along the road, which passed nearby, and six Germans were taking them away. About half an hour or three-quarters of an hour afterwards the Germans came back alone.

- Q These German soldiers that came back, were they the same ones that took the prisoners away?
- A I could not say but I think there were about the same number of men. I think they were the same men who took the British soldiers away. The German soldiers never spoke to me; they did not say anything. I am not sure that they were the same men. These men were S.S. people and we were afraid of them and dare not speak to them.
- Q Why do you think that the men who came back were the same ones that took them away?
- A Because they were coming to the place, they seemed to know the place all right and also because there were no soldiers round the house.
- Q Did these German soldiers who took the prisoners away belong to the detachment who had been quartered in your house?
- A They were the men who belonged to the detachment that were quartered in my house.
- Q Are you sure that the men who marched the prisoners away were members of the detachment that was quartered at your house?
- A I am absolutely sure.
- Q Did the men who came back after the prisoners had been taken away stay at your house?
- A They came back into the yard. The only thing I can say is that they went actually into the yard but I could not say what became of them afterwards. I did not notice them at all afterwards.
- Q Did you know whether there was a man with red hair in the party which took them away?
- A I could not say; I cannot tell you.
- Q Did you ask the German officer, or any of the German soldiers, where these prisoners had gone or what had happened to them?
- A I did not dare ask them any questions; I never asked any questions. I only spoke to the lieutenant when he was in the kitchen and was there for his meals.
- Q Did the lieutenant speak French?
- A No, he could not speak French. He only made signs.
- Q Did you see the lieutenant give any instructions to the soldiers at the time they took the prisoners away?
- A No, I did not see him giving orders. I only saw the men when they were clear of the house and had left the house; that was a few minutes after, when they were on the road.

emmenaient. Environ une demi-heure ou trois quart-d'heure après les Allemands revinrent seuls.

- Q. Ces soldats allemands qui revenaient étaient-ils les mêmes qui avaient emmené les prisonniers?
- R. Je ne pourrais dire mais je crois qu'il y avait à peu près le même nombre d'hommes. Je crois que c'étaient les mêmes hommes qui avaient emmené les soldats britanniques. Les soldats allemands ne m'ont jamais parlé; ils n'ont rien dit. Je ne suis pas sûre que c'étaient les mêmes hommes. Ces hommes étaient des S.S. et nous avions peur d'eux et n'osions pas leur parler.
- Q. Pourquoi pensez-vous que les hommes qui revenaient étaient les mêmes que ceux qui les avaient emmenés?
- R. Parce qu'ils venaient là; ils semblaient fort bien connaître l'endroit, et aussi parce qu'il n'y avait pas de soldats autour de la maison.
- Q. Est-ce que ces soldats allemands qui emmenaient les prisonniers appartenaient au détachement qui avait cantonné dans votre maison?
- R. C'étaient les hommes qui appartenaient au détachement qui était cantonné dans ma maison.
- Q. Etes-vous sûre que les hommes qui emmenaient les prisonniers étaient membres du détachement cantonné dans votre maison?
- R. J'en suis absolument sûre.
- Q. Est-ce que les hommes qui revenaient après que les prisonniers eussent été emmenés restèrent dans votre maison?
- R. Ils sont revenus dans la cour. La seule chose que je pusse dire c'est qu'ils sont effectivement entrés dans la cour, mais je ne pourrais dire ce qu'il est advenu d'eux par la suite.
- Q. Savez-vous s'il y avait un homme aux cheveux roux dans le groupe qui les emmena?
- R. Je ne pourrais pas dire; je ne peux pas vous dire.
- Q. Avez-vous demandé à l'officier allemand ou à un quelconque des soldats allemands où ces prisonniers étaient allés ou ce qu'il était advenu d'eux?
- R. Je n'osais pas leur poser de questions; je ne leur ai jamais posé de questions. Je parlais seulement au lieutenant quand il se trouvait dans la cuisine et y était pour ces repas.
- Q. Le lieutenant parlait-il français?
- R. Non, il ne savait pas parler français. Il faisait seulement des gestes.
- Q. Avez-vous vu le lieutenant donner des instructions aux soldats, au moment où ils emmenaient les prisonniers?
- R. Non, je ne l'ai pas vu donner d'ordre. J'ai seulement vu les hommes quand ils se trouvaient à une certaine distance de la maison et avaient quitté la maison; c'était quelques minutes après, quand ils étaient sur la route.
- Q. Je vous montre cette photographie d'un soldat allemand nommé Alfred Friedrich et vous demande si vous avez jamais vu cet homme?
- Q. Je l'ai vu quand il emmenait les prisonniers.
- Q. Etes-vous sûre qu'il faisait partie de la troupe des six qui emmenèrent les prisonniers?
- R. J'en suis sûre. Je suis sûre qu'il était l'un des hommes qui emmenèrent les prisonniers.
- Q. Avant que ces sept prisonniers fussent amenés à votre maison, aviez-vous entendu parler de rumeurs ou d'histoires à propos de prisonniers britanniques qui auraient été à ou environs de Moucn?
- R. Non, je n'en ai jamais entendu parler d'aucune.

(Le témoin se retire).

RECORD OF THE EVIDENCE

of

M. ANTONI BUDOWSKI

M. ANTONI BUDOWSKI is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: (To the witness): Will you please tell the Court your name, your residence and your occupation.

A Antoni Budowski, of Mouen. I am a mechanic and fitter.

Q How long have you lived in Mouen?

A From June, 1942, I have lived in Mouen.

Q Were you in Mouen on or about the 17th or 18th June of this year?

A Yes, I was in Mouen on the 17th and 18th June of this year.

Q Were there German troops in Mouen at that time?

A Yes, there were German troops at that time in Mouen.

Q Do you know what unit they belonged to?

A I do not know the exact number of the regiment but I know they were S.S. troops.

Q How could you tell they were S.S. troops?

A They had special badges on their caps and on the collars of their tunics.

Q Do you know the S.S. badge when you see it?

A Yes, I know it.

Q Did you see any English or Canadian soldiers in Mouen on or about the 17th or 18th June?

A On Saturday, I think it was the 17th, I saw Canadian soldiers in the village of Mouen.

Q How many Canadian soldiers?

A On the morning of the 17th June I saw about 30 Canadians being led to a village called Bretteville sur Odon, on the road to the school in this village.

Q Did you see any Canadians on that date in or at the village of Mouen?

A Yes, I saw seven Canadians in the village when they were in the Mayor's home.

Q At about what time?

A Between 5 and half past 5 in the afternoon.

Q I show you this map of Mouen and ask you if you will tell me where these prisoners were when you first saw them?

A I saw them through the gate at the Mayor's house. They were sitting near this point marked "A".

Q Where were you standing when you saw them?

A At this point where the letter "B" is marked.

Q What were these Canadian prisoners doing when you saw them?

EXHIBIT No. 4

ing where her husband was. So I went looking for him and I came back to this place (indicating point "G" on map) to see if he was in the field behind the house, where we had looked through the hedge the night before, and I saw the German soldiers throwing bodies in British uniform into a hole in this vicinity (indicating point "K" on map).

- Q Can you describe any of the German soldiers that you saw there?
- A There was a red-haired chap there, but it is very difficult to describe him as he was too far away.
- Q How many bodies did you see the Germans put into the grave?
- A I saw two bodies thrown in.
- Q Were the bodies put in carefully or just thrown in?
- A It is very difficult to say, but it was not done carefully.
- Q Did you visit this grave later in the day or at any other time?
- A On the same afternoon of the day when they were buried I passed the grave, and at that time I found this paper and this small photograph (producing Motor Vehicle Operator's Permit for the Province of Ontario, dated 1941, No. 4195Z, and bearing the name Gerald Willett, Toronto Canada, and marked Exhibit 4A).
- Q Is that all you found there?
- A I found two bandages also.

(The witness withdraws).

ing where her husband was. So I went looking for him and I came back to this place (indicating point "G" on map) to see if he was in the field behind the house, where we had looked through the hedge the night before, and I saw the German soldiers throwing bodies in British uniform into a hole in this vicinity (indicating point "K" on map).

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- A On the same afternoon of the day when they were buried I passed the grave, and at that time I found this paper and this small photograph (producing Motor Vehicle Operator's Permit for the Province of Ontario, dated 1941, No. 4195Z, and bearing the name Gerald Willett, Toronto Canada, and marked Exhibit 4A).
- Q Is that all you found there?
- A I found two bandages also.

(The witness withdraws).

P. Czy kanadyjscy żołnierze byli zwrócenii twarzami do strzelających, czy też tyłem?

O. Stali twarzą do strzelającego oddziału.

P. Czy pan sądzi, że to byli ci sami kanadyjscy żołnierze, których pan widział przy domu mera?

O. Tak, z całą pewnością.

P. Po strzałach karabinowych, które jak pan mówi zabiły Kanadyjczyków, czy słyszał pan jakie inne strzały?

O. Po strzałach karabinowych, ja i brat obrócilismy się aby iść do domu. W tym właśnie momencie, kiedy obrócilismy się aby odejść, słyszeliśmy kilka strzałów, sądzę, że to były strzały z rewolweru. Pochodziły z tego samego miejsca.

P. Jak mogliście obserwować to strzelanie, nie będąc widzianii przez Niemców?

O. Wcale nie mogli mnie widzieć. Byliśmy ukryci za żywopłotem, więc mogliśmy ich widzieć, a oni nas nie mogli. Już był zmrok, więc byliśmy nawet jeszcze lepiej ukryci za żywopłotem.

P. Czy pan widział później ciała tych kanadyjskich żołnierzy leżących w tej pozycji jak zostali zastrzeleni?

O. Nie.

P. Co to za rodzaj wojska był ten oddział niemiecki w Mouen w omawianym czasie?

O. To był na pewne oddział pancerny, bo widziałem w mojej wsi dwadzieściaosiem samochodów pancernych. Jednego dnia liczyłem dwadzieściaosiem wychodzących, a tylko dwa powróciły po bitwie. Było sporo rannych i zabitych żołnierzy niemieckich w samochodach pancernych; przywieźli ich z powrotem z linii walki. To był oddział czołgów, ponieważ we wsi było około trzysta niemieckich żołnierzy i dwadzieściaosiem wozów pancernych; niektóre pojazdy miały zwykle koła, a niektóre były półgąsienicowe. Przynajmniej trzy z nich były duże czołgi. Oni z całą pewnością mieli czołgi, bo widziałem wielkie działo na każdym czołgu.

P. Zznał pan że rano po strzelaniu kopał pan kilka grobów obok kościoła. Dokąd pan poszedł i co pan robił po opuszczeniu kościoła?

O. Opuszcilem kościół i poszedłem do domu mego brata zobaczyć czy go niema tam. Nie znalazłem go w domu. Żona brata płakała nie wiedząc, gdzie jest jej mąż. Poszedłem więc go poszukać i przyszedłem do tego miejsca (wskazując punkt "G" na mapie) aby zobaczyć czy go niema polu, poza domem; to miejsce skąd patrzyliśmy poprzedniego wieczora poprzez żywopłot, i zobaczyłem jak niemieccy żołnierze wrzucali ciała w brytyjskich mundurach do dołu w pobliżu tego miejsca (wskazuje punkt "K" na mapie).

P. Czy może pan opisać któregoś z niemieckich żołnierzy widzianych tam?

O. Był jeden między nimi z rudą głową, ale to bardzo trudno opisać go, bo to było zadaleko.

P. Ile ciał widział pan złożonych przez Niemców do grobu?

O. Widziałem dwa ciała wrzucone.

P. Czy ciała wkładano ostrożnie, czy tylko wrzucano?

O. To trudno powiedzieć, ale nie robiono tego ostrożnie.

P. Czy pan odwiedzał ten grob później tego dnia albo kiedy indziej?

O. Tego samego dnia popołudniu po pogrzebie przechodziłem obok grobu i wtedy znalazłem ten papier i te małą fotografię. (przedkłada Motor Vehicle Operator's Permit for the Province of Ontario z 1941 No. 4195z, z nazwiskiem Gerald Willet, Toronto, Canada, i oznaczoną Exhibit).

P. Czy to wszystko, co pan tam znalazł?

O. Znalazłem także dwa bandaże.

(Świadek odchodzi)

EXHIBIT No. 5

By that did you mean that what they had on was not a regular coat that had a tail to it, like the German coat, but that it was just a short garment tucked in at the waist?

A It seemed to be that they were in shirts because I have not seen before this kind of tunic worn by soldiers and therefore I thought that they were shirts.

Q Will you indicate on this map the point where your house is located?

A The third house from the corner here (indicating point "F" on plan).

(The witness withdraws).

P. JAN BUDOWSKI zostaje wezwany i po należytych zaprzysiężeniu przesłuchany jak następuje:

PRZEWODNICZACY: Proszę podać Sądowi swe nazwisko, miejsce zamieszkania i zawód?

O. Jan Budowski. Mieszkam w Mouen. Jestem robotnikiem.

P. Jak długo mieszka pan w Mouen?

O. Od pięciu lat.

P. Czy jakie niemieckie oddziały przyszły do Mouen pomiędzy 9-tym a 25-tym czerwca?

O. Trzy dni po brytyjskim lądowaniu w czerwcu 1944 przybył do Mouen oddział S.S. Nie mogę dokładnie powiedzieć ile przyszło do Mouen, ale wiem że to był oddział S.S. co stacjonował w Mouen.

P. Kiedy po tej dacie widział pan jakichkolwiek brytyjskich albo kanadyjskich żołnierzy w Mouen?

O. Dokładnej daty nie wiem, ale wiem że to była druga sobota po brytyjskim wylądowaniu, kiedy mój brat Antoni przyszedł około 10.30 wieczór do mego domu. On był bardzo rozdrażniony i podniecony i powiedział mi że dopiero co widział, jak czterem niemieckich żołnierzy eskortowało siedmiu brytyjskich jeńców. Powiedział: "Obawiam się że coś bardzo złego stanie się, gdyż jeńcy nie idą zwykłą drogą do Caen, lecz idą w kierunku lasu za domem". Brat prosił mnie, bym z nim poszedł zobaczyć, co stanie się z tymi brytyjskimi żołnierzami. Za moim ogrodem jest żywopłot, który zasłania nas od strony lasu. Więc poszliśmy tam z bratem, by zobaczyć co się stanie.

P. Czy to był pierwszy raz jak pan zobaczył tych siedmiu brytyjskich żołnierzy?

O. Tak, tych siedmiu brytyjskich żołnierzy zobaczyłem wtedy po raz pierwszy.

P. Proszę powiedzieć Sądowi co się stało, kiedyście przyszli do żywopłotu?

O. Gdyśmy przyszli do tego miejsca, (świadek wskazuje punkt "G" na mapie Mouen) zobaczyliśmy czterem niemieckich żołnierzy eskortujących siedmiu brytyjskich żołnierzy do miejsca tu (wskazuje punkt "H" na mapie). Tu się zatrzymali, ustawili tych siedmiu jeńców w szereg i kilka jardów przed jeńcami sami też ustawili się w szereg twarzą do jeńców. Nie mogę powiedzieć, czy który z Niemców dawał komendy. Potem, ponieważ obawialiśmy się aby nas Niemcy nie zobaczyli i aby nie mieć kłopotów z Niemcami, natychmiast odwróciliśmy się i poszliśmy do domu. Gdy byliśmy kilka jardów od tego miejsca usłyszeliśmy strzały z rewolweru, po dwa, a po krótkiej chwili znowu dwa, potem znów dwa i tak dalej, a potem poszliśmy do domu. Ja właściwie nie widziałem, kto to ostatnio strzelał z rewolwerów.

P. Czy po strzałach widział pan brytyjskich żołnierzy jak upadali?

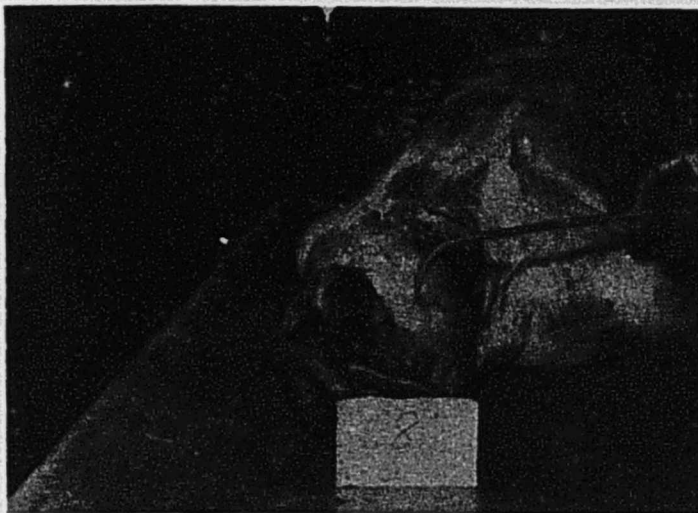
O. Po pierwszej serji widziałem wszystkich padających, wszystkich siedmiu, jeden po drugim.

P. Czy, kiedy niemieccy żołnierze prowadzili brytyjskich żołnierzy pod górę albo też w punkcie "H", brytyjscy żołnierze stawiali opór, albo robili zamieszanie, czy to po drodze czy to w punkcie "H"?

O. Oni maszerowali bardzo spokojnie i cicho, bez żadnego oporu. Byli bez hełmów, nie mieli na sobie bluz, a tylko koszule.

P. Czy pan wie co się stało z ciałami tych kanadyjskich żołnierzy?

O. Dokładnie nie wiem co się z nimi stało, ale następnego rana o 9-tej godzinie przyszedł do mego domu jeden niemiecki



Sjt. T. C. McLaughlin, showing entrance wound
in right temple.



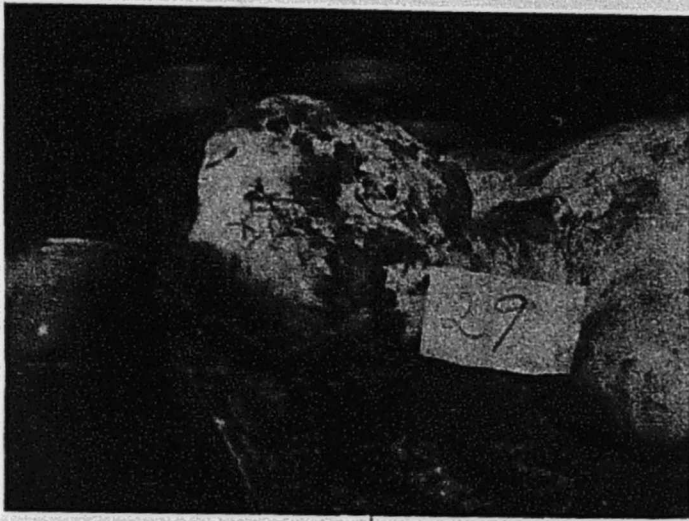
Sjt. T. C. McLaughlin, showing exit wound
behind right ear.

EXHIBIT No. 6

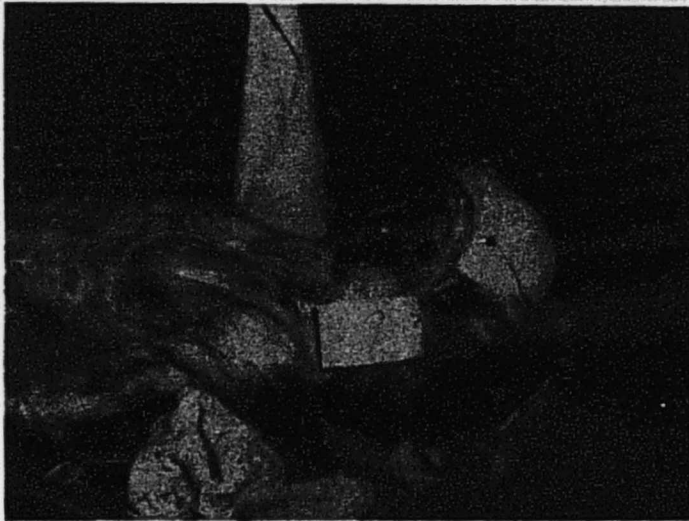
A Autopsy No. 27, 22nd July, 1944. This is the body of a trooper of the Canadian Armoured Corps, taken from the grave at point "K" on the Mouen map. An identity card found loose in the grave makes it probable that this was B.49476 Trooper Perry, C.J., as there was no other member of the Armoured Corps found in the grave. As well as the Armoured Corps flash, there was a black diamond-shaped flash with a blue band through the middle. There were four service chevrons on the sleeve. Over the usual tunic and trousers, there was an overall. Clothing: There was a hole three-sixteenths of an inch in diameter in the pleat of the right breast pocket and another hole two inches by one inch in the region of the right shoulder blade. The overall showed corresponding holes. Wounds: There was a wound, three-sixteenths of an inch in diameter, just below the right clavicle, two and a half inches from the sternal articulation. This is directed downwards and inwards beneath the second rib which is fractured close to the sternum. This wound continued into the pericardium and the left ventricle of the heart was torn open. The wound continued downwards and produced a fracture of the eighth rib and emerged on the left side in the anterior axillary line at the level of the eighth rib. There was a wound on the right side of the shoulder, one half inch in diameter, just over the lateral edge of the scapula. The scapula was fractured. The exit wound was in the right anterior axillary line and in its passage the bullet had broken the sixth rib. The upper and lower lobes of the right lung were torn, and blood leaked from the wound in the chest. The left lung and other organs showed nothing abnormal. There was a wound, three-sixteenths of an inch in diameter, in the posterior aspect of the upper third of the left thigh. The wound was directed upwards and inwards passing behind the femur and emerging just below Poupert's Ligament producing an exit wound one inch in diameter. Head: No wounds or abnormalities. Summary: Three small-calibre bullet wounds of chest and leg.

Autopsy No. 28, 22nd July, 1944. This is the body of Serjeant McLaughlin, T.C., B.43258, Queen's Own Rifles of Canada, taken from the grave at point "K" on the Mouen map, and was identified by his name on the trouser and blouse pockets. The identity discs had been cut off. There were regimental flashes of the Queen's Own Rifles of Canada and three service chevrons, two red and one white. The blouse was unfastened. The uniform showed no holes or tears. Wounds: There was a bullet wound in the head a quarter of an inch in diameter in the right frontal bone, about three and a half inches from the orbital ridge. The exit wound was behind the right ear in the parietal bone, and was one half inch in diameter. The skull was shattered and there were multiple fractures involving the frontal, parietal, temporal and occipital bones on the right side. There was a bullet wound one quarter inch in diameter in the left parietal bone, just at the parietal tuberosity. The parietal and occipital bones on the left side were fractured. Summary: Two small-calibre bullet wounds of head, one from the front and one from the left side.

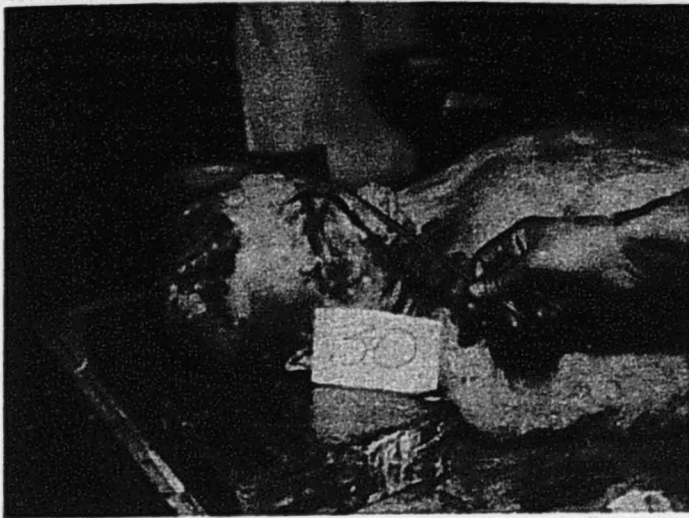
Autopsy No. 29, 23rd July, 1944. This was the body of Rifleman J. R. Campbell, Queen's Own Rifles of Canada, O.D., Canadian, taken from the grave at point "K" on the Mouen map. Both identity discs



Rfn. J. R. Campbell, showing exit wound in head. Note that both identity discs were left on body.



Rfn. J. R. Campbell, showing hole in left side of skull which is bared of scalp.



Rfn. C. L. Willett, showing wound in forehead.

EXHIBIT No. 6

the upper thigh, directed downwards. There was an exit wound just below this, one and a quarter inches in diameter. There was no involvement of the femur. Summary: One small-calibre bullet wound in the head, from the front. Three small calibre bullet wounds of chest, arm and leg.

Autopsy No. 31, 23rd July, 1944. This was the body of Rifleman Cranfield, E., No. B.138483, Queen's Own Rifles of Canada, C. of E., Canadian, taken from the grave at point "K" on the Mouen map. Clothing: There was a hole in the tunic, in the region of right shoulder blade, three inches by two inches and another one an inch in diameter on the edge of the right epaulette. There were two holes, four inches from the midline and two inches above the right belt seam. These measured three-quarters of an inch in diameter. Trousers: No holes. Head: There was an entrance wound on the left parietal tuberosity, one-quarter inch in diameter, and an exit wound above the right ear, one inch in diameter. There was a fracture, starting at the parietal tuberosity, running forwards and upwards and joining the frontal parietal suture one half inch from the midline on the left. This ran along the suture line and ended on the right side at the exit hole. There was a fracture running from the point of junction of the sagittal suture and the right parietal suture, into the occipital bone. The brain was decomposed. Body wounds: There was a wound, one-quarter of an inch in diameter, in the right mid-clavicular line, directed upwards and outwards. There was a fracture of the second right rib and the right scapula; this communicates with an exit wound, one and a half inches in diameter, behind the right shoulder. Summary: One small-calibre bullet wound of head from left side. One small-calibre wound of right chest.

Autopsy No. 32, 23rd July, 1944. This was the body of Corporal Cook, E., No. B.144191, Queen's Own Rifles of Canada, taken from the grave at point "K" on the Mouen map. Clothing: There was a hole in the blouse, one quarter of an inch in diameter, just above the button of the left breast pocket. There was a hole one inch in diameter on the right shoulder seam two inches below the epaulette. There was a hole in the left sleeve, one and a half inches below the epaulette. Wounds: There were two wounds in the back of the neck, just to the left of the midline. These measured one quarter inch in diameter and were directed slightly upwards. The bullets had penetrated the vertebral column and fractured the third and fourth cervical vertebrae, tearing the spinal chord and emerging in the front of the neck, just below the chin. The exit hole measures one and a half inches diameter. The head and cranial bones show no wounds. Body: There was a wound, one quarter of an inch in diameter, one inch below the head of the left humerus directed backwards and communicating with a wound behind the left shoulder, five-sixteenths of an inch in diameter. There was a wound, one quarter of an inch in diameter, in the back at the level of the third thoracic vertebra just to the left of the midline. There was a wound one quarter inch in diameter just above the left clavicle in the mid-clavicular line which grooved the clavicle, fractured the scapula, tore the



Rfn. P. Bullock, showing wound in back of head.



Rfn. P. Bullock, showing hole in skull between eyes.



Rfn. P. Bullock, showing fracture of skull above left ear.

RECORD OF THE EVIDENCE

of

CAPTAIN JACK BORNOFF

CAPTAIN JACK BORNOFF is called and, having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you state to the Court your name, rank, organisation and present duties?

A My name is Captain Jack Bornoff. I am an Intelligence Officer at Headquarters Second British Army.

Q Will you state to the Court whether in the course of your service you have had occasion to study the organisation, methods and equipment of the German Army?

A I have been studying the German Army for the past three years and do so in the course of my everyday duty.

Q In the course of the Normandy operation have you been able to familiarise yourself with the location and dispositions of German units on the British front?

A I have.

Q Can you give the Court the designation of the unit which occupied the village of Mouen during the period June 9th to approximately June 26th, 1944?

A I believe that the unit concerned was the 12th S.S. Panzer Engineer Battalion.

Q Will you state to the Court the reasons for this belief?

A The body of a German soldier was exhumed at Mouen. From documents found on the body, including several identity cards, I am satisfied that the body was that of S S Mann "Pionier" (Sapper) Alfred Friedrich, belonging to the 3rd Company of the 12th S.S. Panzer Engineer Battalion.

Q Have you any other evidence to indicate that this 12th S.S. Panzer Engineer Battalion was stationed at Mouen during the period in question?

A Yes. I have been shown a sign-post found at Mouen bearing the name "Muller (P)". From records in the possession of Intelligence Branch, Second Army, it is known that the Commanding Officer of the 12th S.S. Panzer Engineer Battalion at this date was Sturmabfuhrer Muller. It is a normal procedure in the German Army to indicate a unit's location by the name of its Commander, printed on a sign-post.

Q I show you this small sign-post marked "Muller (P)" and ask you if that is the sign-post to which you refer?

A That is the one.

(Sign-post is marked Exhibit 7A)

Q Can you state to the Court what you consider to be the significance of the letter "(P)"?

A Yes; the name "Muller" is very common in Germany, and I presume that the letter "(P)" was added to indicate this particular "Muller", the Commanding Officer of the Engineer (in German: "Pionier") Battalion.

EXHIBIT No. 7B

4. EVIDENCE FOR IMPLICATION IN MOUEN INCIDENT - 17 June 1944.

- (a) Civilian report of sign post "MULLER" in MOUEN
- (b) Card bearing identification "3/12SS Pz. Engr. Bn" on body of soldier known to have been implicated. (Exhibit 7C).
- (c) Statement by PW that amn (SAA) drawn from dump in MOUEN. PW, captured at CHEUX, 1300/1400 hours 30 June 44, belonged to amn. sec. of HQ Coy 12SS Pz. Engr. Bn. BUT also state that their coy remained in CANDES 8756 from approx 17 June for one week, thence to area South of CHEUX where coy first engaged on 25 June.

(PW were: SS Mann ROSCHER, Driver, KP/22558; Rottenfuhrer WURST, Issuer, KP/22679).
- (d) Other PW (unnamed) from 2 and 3 Coys state they arrived at the front "South of CAEN" on 9 June and went into action from 1 to 4 days later. PW from Bridging Coln B arrived "West of CAEN" on 14 June with two-thirds of lorries of repair detachment.

RECORD OF THE EVIDENCE

of

LIEUTENANT W. GILLING

LIEUTENANT W. GILLING is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you state to the Court your name,
rank and organisation?

A Lieutenant William Gilling, Special Investigation
Section, Canadian Provost Corps.

Q In the course of your duties recently have you had
occasion to exhume the bodies of any German
soldiers in the vicinity of the village of Mouen?

A Yes; on the 22nd July, 1944, I visited the
premises of M. Pele in the village of Mouen and
there at a spot previously indicated by Captain
Morrison I exhumed the body of a German soldier.

Q Will you indicate on this map of Mouen and vicinity
the point at which you exhumed the body?

A I exhumed the body at this point (indicating point
"L" on map).

Q Were you able to identify the body of this
soldier?

A Yes, I identified the body by documents found upon
it as being that of Alfred Friedrich, 12th S.S.
Panzer Pioneer (Engineer) Battalion.

Q Do you know anything about the circumstances con-
nected with the death of this soldier?

A While I was exhuming the body several English
soldiers billeted in the area visited the scene
and told me that they had found the body sitting
in a deck-chair by the hedge, near point "L" on
the map. The body was removed by them from the
deck-chair and covered with a light layer of
earth.

(The witness withdraws).

RECORD OF THE EVIDENCE

of

M. MAURICE R. PELE

M. MAURICE R. PELE is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you state to the Court your name,
occupation and address?

A Maurice Robert Pele; occupation, Commercial Representative, residence, Mouen, Near Verson, Calvados, France.

Q Will you please tell the Court whether you were living at Mouen during the period June 8 to about June 25?

A Yes.

Q Did any German Units move into Mouen during that period?

A Yes, there were two; one formation all tanks and the second and last one is one which furnished supplies to the troops.

Q Was either one of these units an S.S. unit?

A Both were S.S. troops.

Q When did the first one move into Mouen?

A The first arrived about 12th June, 1944 at my home.

Q When did that unit arrive at the village of Mouen?

A I do not know but I believe that this Unit did not go anywhere else in the village before it came to my place.

Q Did the unit which moved to your house billet itself at a Mr. Stilliere's place before that?

A No, not the first one.

Q When did the second unit arrive at Mouen?

A The second unit arrived at my place, I think it was the night of the 13th/14th June.

Q How long did that second unit remain at your house?

A It must have left around 25th June.

Q Are you sure of that date?

A It left on a Sunday which was the 25th.

Q Do you know why this unit left?

A They left hurriedly but I do not know why they did leave.

Q Did they leave as a result of any fighting in your village?

A No.

Q Do you know whether any soldiers were quartered at the house of M. Stilliere?

A Yes, the last unit that was at my place came from M. Stilliere and the Warrant Officer lived in M. Stilliere's house.

EXHIBIT No. 10

- Q Did that detachment which had been quartered at M. Stilliere's house belong to the same unit which was already quartered at your house?
- A I believe they were the same unit.
- Q Do you know the name or designation of the unit which was quartered on you at that time?
- A No, but I seem to recall that there was an indication sign in front of my place with the inscription "MU3".
- Q Do you know whether this unit was an S.S. Unit?
- A Yes.
- Q Do you know whether they were infantry or artillery or pioniers?
- A No, but I know that they were mainly concerned with supplies.
- Q Will you describe in detail the uniform worn by the officers who were quartered at your house?
- A There were no officers; there was only the Warrant Officer and I saw him mostly wearing the camouflaged clothing of the other S.S. troops that were at my place.
- Q Were there any officers quartered at your house?
- A No. After the 25th there was an officer who came with a number of men and they just stayed for a matter of a few hours overnight. I am not sure that that officer belonged to the unit that had just left the place on the 25th.
- Q What sort of distinguishing marks or badges did these troops wear?
- A I did not notice anything in particular on them.
- Q Did they live in your house?
- A There was only the Warrant Officer who was sleeping at my place and the others came to my kitchen to do the cooking. They also did their office work there.
- Q Were you at home all this time?
- A Yes.
- Q Do you have any trouble with your eyesight?
- A My eyesight is good.
- Q Then either your eyesight is poor or you are much less intelligent than the working people who live in your village?
- A Why?
- Q Do you know the names of the officers or persons who were in charge of these troops?
- A I learned of no names.
- Q Did you entertain any of these officers or warrant officers in your house during the time that they were there?
- A No.
- Q On a previous occasion you told this officer, (the President indicates Captain Morrison, the interpreter) that you entertained the Officer or Warrant Officer of this unit in your house and that your daughter played the piano for them.
- A The piano was in the music room next to the kitchen and this Warrant Officer walked into the music room and he sat down and listened.

EXHIBIT No. 10

Q Was there any part of the unit occupying premises near the church?
A I do not know.

Q On what date did you see the dead soldier?
A on 26th June.

Q On what date do you think he was killed?
A I do not know but it could not have been very long because there was no smell from the body.

Q Had you seen him there the previous day?
A I cannot say when the man's body was noticed to be there, but I did not go into the pasture during the time that these S.S. troops were there.

THE PRESIDENT: Did any artillery shells fall near your property at about this time?
A No.

Q Have you any idea how this German soldier was killed?
A No. I have no idea; I cannot remember any shells, bombs or machine gun fire from the planes at my place around that date.

LT. COL. BLACKHURST: Where did this warrant officer go each day for his orders? Do you know that?

A He went out often in a car, but I cannot say where he went.

Q What sort of car was it? Can you describe it?
A He had a small German car which he used, but most of the time he used a small French civilian car. I think it was a Renault.

Q When he told you that they had shot these English soldiers, did he say who had shot them or on whose orders they were shot?
A No.

Q Did he give you to understand that he had participated in the shooting?
A No.

THE PRESIDENT: How did he happen to mention this matter of shooting the prisoners to you?
A It came about through the warrant officer saying in a boastful manner, "Do you know that we shot English prisoners?"

Q What was the general conduct of these German troops during the time that they were in Mouen?
A I can only tell you of what occurred at my home. The warrant officer and others who came into the house behaved correctly, well, with the exception of the night that they had this party and made such a lot of noise.

Q About what date did they have that party?

THE WITNESS (looking at a notebook): I am not certain, but I think it was about 20th June.

Q Is that a diary which you kept of the events at that time?
A No, it is just a notebook with some dates in.

Q Did you hear of any bad conduct on the part of the German troops in Mouen and the neighbouring villages during this period?
A Yes, I have heard, and I believe it to be true

EXHIBIT No. 10

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EXHIBIT No. 10 (FRENCH).

- Q. Voulez-vous décrire en détails l'uniforme porté par les officiers qui logeaient chez vous.
- R. Il n'y avait pas d'officiers, sauf l'Adjudant et la plupart du temps je l'ai vu portant l'habillement camouflé que les troupes S.S. qui étaient chez moi portaient également.
- Q. Y avaient-ils des officiers cantonnés chez vous ?
- R. Non. Après le 25 un officier vint avec quelques hommes mais ils ne restèrent que quelques heures, jusqu'au lendemain matin. Je ne suis pas certain si l'officier appartenait à l'unité qui venait juste de partir le 25.
- Q. Quelles sortes de marques distinctives ou d'insignes portaient ces troupes ?
- R. Je n'ai rien remarqué de particulier.
- Q. Demeuraient-ils chez vous ?
- R. Seul l'Adjudant habitait chez moi, et les autres vinrent dans ma cuisine pour préparer les repas. Ils se servaient également de ma maison comme bureau.
- Q. Etiez-vous chez vous pendant tout ce temps ?
- R. Oui.
- Q. Avez-vous bonne vue ?
- R. Ma vue est bonne.
- Q. Ou bien votre vue est mauvaise ou vous êtes bien moins intelligent que les ouvriers qui habitent dans votre village ?
- R. Pourquoi ?
- Q. Connaissez-vous les noms des officiers ou des personnes qui avaient charge de ces troupes ?
- R. Je ne connais aucun nom.
- Q. Avez-vous reçu chez vous officiers ou adjudants pendant leur séjour ?
- R. Non.
- Q. Au cours d'une autre occasion, vous avez dit à cet officier (le Président indique le Capitaine Morrison, interprète) que vous aviez reçu l'officier ou l'Adjudant de cette unité et que votre fille avait joué du piano pour eux.
- R. Le piano se trouvait dans le salon qui fait suite à la cuisine et cet Adjudant s'assit et écouta.
- Q. Je vous montre la photographie d'un soldat allemand dénommé Alfred Friedrich et je vous demande si vous l'avez vu auparavant ?
- R. Non, je ne l'ai pas vu.
- Q. Y a-t-il eu un soldat allemand tué près de votre maison ?
- R. Je ne l'ai pas vu tuer, mais je l'ai vu quand il était mort.
- Q. Quel jour cela s'est-il passé ?
- R. Ces troupes quitteront ma maison le 25 et je vis le cadavre le lendemain en marchant au paturage autour de ma maison.
- Q. Etiez-vous dans Mouen lorsque les troupes britanniques entrèrent dans le village ?
- R. J'ai vu les troupes britanniques pour la première fois le vendredi 30. Il y avait des soldats anglais dans le village le 29 mais je ne les ai pas vus.
- Q. Le soldat que vous avez vu près de votre maison appartenait-il à l'unité qui avait été logé là ?
- R. Il était enveloppé dans une tente et tout ce que j'ai pu en voir était sa main. Dans ces conditions il m'est impossible de vous renseigner.

EXHIBIT No. 10 (FRENCH).

Q. Avez-vous jamais vu des soldats anglais ou canadiens dans Mouen avant le départ des allemands ?

R. Non.

Q. Avez-vous jamais entendu dire qu'il y avait des soldats anglais ou canadiens à Mouen prisonniers de guerre des allemands ?

R. J'ai entendu parlé des prisonniers de guerre qui furent fusillés.

Q. Dites au Tribunal exactement ce que vous avez entendu, à quelle date et qui vous l'a dit.

R. Le 20 environ, ma bonne qui venait tous les jours à la maison, me dit que les allemands avaient fusillés des prisonniers anglais.

Q. Les habitants du village vous ont-ils parlé de cela ?

R. Non.

Q. Avez-vous eu une conversation quelconque avec Maurice Louvert concernant ces prisonniers anglais ?

R. Je n'en suis pas sûr mais il est possible qu'il m'ait dit qu'ils avaient creusé des tombes pour ces soldats.

Q. Avez-vous discuté cette exécution avec officiers ou gradés allemands ?

R. L'Adjudant m'en a parlé une fois.

Q. Faites au Tribunal le récit complet de votre conversation avec cet Adjudant.

R. L'Adjudant me dit: "Vous savez que nous avons fusillés des prisonniers anglais ici". Je répondis: "Oui, je l'ai entendu dire". Il ajouta: "Savez-vous pourquoi nous avons fait cela?" Je répondis: "Non". Il ajouta: "Nous avons trouvé un ordre sur des soldats anglais leur enjoignant de ne pas prendre de prisonniers S.S." Je lui dis: "Avez-vous vu cet ordre vous-même?". Il répondit: "Je l'ai vu moi-même". C'est tout.

Q. Où a eu lieu cette conversation ?

R. Je me trouvais dans mon salon de musique.

Q. Si vous avez tenu cette conversation avec l'Adjudant allemand dans votre salon de musique, pourquoi ne pouvez-vous nous dire quoi que ce soit au sujet des marques distinctives de son uniforme ?

R. Il portait soit des vêtements camouflés ou était en bras de chemise. Le col de la chemise portait les insignes S.S. et sur les épaulettes il y avait des insignes en tissu blanc-gris.

Q. Est-ce que les officiers ou soldats allemands que vous avez vus à Mouen à cette époque portaient l'inscription "Adolf Hitler" sur leurs manches ?

R. Leurs manches portaient des inscriptions mais je n'ai pas remarqué "Adolf Hitler".

Q. Avez-vous jamais vu l'officier qui commandait les troupes qui entrèrent à Mouen ?

R. Non. J'ai seulement vu l'officier qui vint chez moi après le départ des troupes le 25 juin, et qui resta seulement jusqu'au lendemain matin.

Q. Quel était le rang de cet officier ?

R. Je sais que c'était un Capitaine car j'ai entendu les hommes l'appeler Hauptmann.

Q. Les officiers ou soldats qui habitaient chez vous pendant cette période ont-ils jamais parlé de leur commandant ?

R. L'Adjudant me parla de ce capitaine et me dit qu'il viendrait passer cette nuit chez moi. Le reste des troupes avait quitté la place. L'Adjudant amena le capitaine chez moi cette nuit là et partit.

Q. Avez-vous recueilli l'impression qu'il avait pris part à l'exécution ?

R. Non.

LE PRESIDENT:

A quel propos vous a-t-il parlé de l'exécution de ces prisonniers ?

R. Cela se passa lorsque l'Adjudant dit avec vanterie: "Savez-vous que nous avons fusillés des prisonniers anglais?"

Q. Quelle était la conduite générale de ces troupes allemandes durant leur séjour à Mouen ?

R. Je peux seulement vous parler de ce qui c'est passé sous mon propre toit. L'Adjudant et les autres qui venaient chez moi se conduisaient correctement sauf le soir où ils ont donné une réception et ont fait tant de bruit.

Q. A quelle date ont-ils donné cette réception ?

R. LE TEMOIN (consultant un carnet): Je n'en suis pas sur mais je crois que c'était aux environs du 20 juin.

Q. Est-ce un journal des événements qui se sont passés à cette époque que vous avez ?

R. Non, c'est un simple carnet avec quelques dates.

Q. Avez-vous entendu dire que les troupes allemandes s'étaient mal conduites soit à Mouen soit aux environs durant cette période ?

R. Oui, et je crois que c'est la vérité qu'il y a eu une jeune fille du nom de Basile qui fut violée par les allemands. Partout ils volaient et pillaient des jardins; ils forçaient les habitants à leur donner du lait et d'autres produits de la ferme sans les rétribuer.

Q. En vous basant sur ce que vous saviez personnellement, pouvez-vous déclarer que le soldat tué faisait partie de l'unité qui était logée chez vous ?

R. Je le pense mais n'en suis pas sur.

(Le témoin se retire)

RECORD OF THE EVIDENCE

of

MLE. Y. PELE

MLE. Y. PELE is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you please state to the Court your name, residence and occupation?

A My name is Yvonne Pele. I live at Mouen, near Verson, Calvados, France. I am a teacher of piano music.

Q How old are you?

A I am 24 years of age.

Q Did any German troops arrive at Mouen on or about the 9th June, 1944?

A I believe that the unit that came to our house from M. Stilliere's place arrived about that date.

Q You stated that some soldiers came to your house from M. Stilliere's house. At about what date did they arrive?

A About the 13th or 14th of June.

Q Were those the first troops that came to your house after the Invasion began?

A Yes, they were the first troops to arrive at our place.

Q Your father told the Court that prior to this a detachment or formation of tanks arrived at your house. Do you recall seeing them?

A Yes, that is so; they arrived two days before the others and only stayed one day.

Q As to the detachment or troops of which you first spoke, do you know what unit they belonged to?

A I knew that they were S.S. and that they were carrying munitions and food to the front.

Q Will you describe the uniform which they wore?

A They were wearing greenish uniforms with the S.S. markings on their tunic lapels.

Q Did any of them wear "Adolf Hitler" on their sleeves?

A I knew there was an inscription, but I do not know that it was "Adolf Hitler".

Q How close were you ever able to approach any of these soldiers?

A I saw them in our kitchen which they occupied.

Q Did you go into the kitchen while they were there?

A Yes, a few times.

Q If you were that close to them why could not you read the badge on their sleeves?

A I did not think it concerned me, and I did not think it important at the time. I did read one inscription on a tunic sleeve which I believe was "Wiking".

DEPOSE DU TEMOIGNAGE

DE

Mlle. YVONNE PELE.

LE PRESIDENT: Voulez-vous indiquer au Tribunal; vos nom, adresse et occupation?

R. Je m'appelle Yvonne Pele. J'habite Mouen, pres de Vernon, Calvados, France. Je suis professeur de musique.

Q. Quel âge avez-vous?

R. 24 ans.

Q. Des troupes allemandes sont-elles arrivées à Mouen aux environs du 9 juin 1944?

R. Je crois que l'unité qui vint de chez M. Stilliere chez nous est arrivée à peu près à cette date.

Q. Vous avez déclaré que quelques soldats vinrent de chez M. Stilliere chez vous. A quelle date arrivèrent-ils?

R. Aux environs du 13 ou 14 juin.

Q. Est-ce que c'était les premières troupes à parvenir chez vous après le début de l'invasion?

R. Oui, c'était les premières troupes qui sont parvenues a notre maison.

Q. Votre père a indiqué au Tribunal qu'une formation de chars avait précédé ce détachement. Vous rappelez-vous les avoir vus?

R. Oui c'est exact. Ils sont arrivés 2 jours avant les autres et ne sont restés qu'un jour.

Q. Savez-vous à quelle unité appartenaient les troupes du détachement dont vous avez parlé en premier?

R. Je sais que c'était des S.S. et qu'ils apportaient au front munitions et provisions.

Q. Voulez-vous décrire l'uniforme qu'ils portaient?

R. Ils portaient l'uniforme verdâtre avec les insignes S.S. sur l'épaulette de leur veste.

Q. Y en avait-il qui portaient l'inscription "Adolf Hitler" sur leurs manches?

R. Je sais qu'il y avait une inscription mais j'ignore si c'était "Adolf Hitler".

Q. A quelle distance avez-vous pu approcher ces soldats?

R. Je les ai vus dans notre cuisine qu'ils occupaient.

Q. Etes-vous allée dans la cuisine pendant qu'ils s'y trouvaient?

R. Oui, quelques fois.

Q. Si vous les avez approchés de si près, pourquoi n'avez pas pu lire l'inscription de leurs manches?

R. Je ne pensais pas que cela me concernait et à l'époque je ne pensais que cela présentait de l'intérêt. j'ai lu l'inscription sur la manche d'une tunique et crois que c'était "Wiking".

Q. Combien d'officiers comportait cette unité?

R. Aucun, il y avait seulement des gradés.

Q. Quels étaient leurs rangs?

R. L'ainé des gradés était un Scharfuhrer.

Q. Combien de soldats y avait-il dans votre maison?

R. A peu près 30 en tout.

Q. Cet individu avait-il l'air d'être à la tête?

R. Oui, je crois qu'il commandait ceux qui étaient chez nous.

EXHIBIT No. 11 (FRENCH).

- Q. Avez-vous jamais eu l'occasion de lui parler?
R. Je ne parle pas allemand et tout ce que je lui ai dit était soit "Bonjour" ou "Bonsoir".
- Q. Quel était son nom?
R. Il ne me l'a jamais dit et je ne l'ai jamais entendu prononcer durant son séjour chez nous.
- Q. Quelles marques portait-il sur son col ou son épaule?
R. Sur son col il y avait les insignes S.S. mais je ne sais pas quelles étaient les marques sur son épaule.
- Q. Avez-vous quelquefois remarqué les insignes sur les véhicules appartenant à cette unité?
R. "W" et "SS" sont les seuls signes que j'ai vus sur les véhicules.
- Q. Avez-vous vu des soldats anglais ou canadiens à Mouen pendant que les allemands s'y trouvaient?
R. Non, je n'en ai pas vus.
- Q. Avez-vous entendu dire que des soldats canadiens ou anglais avaient été fusillés à Mouen?
R. Je l'ai appris de notre bonne qui me dit: "Savez-vous qu'ils ont été fusillés des soldats anglais à Mouen?"
- Q. Avez-vous entendu autre chose concernant cet incident?
R. Non, je ne suis pas sortie et n'ai parlé de ceci à personne dans le village.
- Q. Avez-vous jamais discuté cette affaire avec les gradés allemands?
R. Je ne parle pas allemand, mais le gradé allemand en parla à mon père qui me le dit par la suite.
- Q. Que vous en a dit votre père?
R. Mon père m'a dit que ce gradé allemand lui avait raconté qu'ils avaient fusillés des prisonniers anglais parce qu'ils avaient trouvés sur eux un ordre leur enjoignant de ne pas prendre les S.S. prisonniers.
- Q. Avez-vous cru cela?
R. J'ai pensé que je ne devais pas le croire car cela ne paraissait pas juste.
- Q. Où habitait l'officier qui était en charge de toutes les troupes à Mouen pendant leur séjour à cet endroit?
R. J'ignore où habitait le Commandant mais je sais qu'il y avait un Officier allemand chez Cannivet.
- Q. Avez-vous jamais entendu les allemands mentionner le nom de leur Commandant?
R. Jamais.
- Q. Savez-vous s'il y avait à cette époque à Mouen un officier allemand du nom de Muller?
R. Je sais que les lettres "MU" se trouvaient sur la plaque indicatrice devant notre maison, mais je n'ai jamais entendu mentionner les noms des officiers.
- Q. Avez-vous déjà vu cette plaque (pièce de conviction montrée au témoin)?
R. Non.
- Q. Connaissez-vous un officier allemand du nom de Capitaine Heintz?
R. Non.
- Q. Savez-vous si le gradé allemand qui résidait chez vous allait et venait régulièrement à la maison des Cannivet?
R. Je l'ai vu quitter notre maison pour de courts intervalles et se diriger vers la maison des Cannivet mais ne puis assurer qu'il y allait réellement.

RECORD OF EVIDENCE

of

M. AIME CANIVET

M. AIME CANIVET is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you state to the Court your name,
residence and occupation?

A My name is Aime Canivet. I live at Mouen, Calvades.
My occupation is farming.

Q Were you in the village of Mouen during the period
June 9th to June 25th?

A Yes.

Q Did any German troops come to your house to be
billeted on or about the 9th June?

A Yes, German troops arrived at my farm about that
date and stayed for approximately three weeks.

Q How many were there?

A I think there was a company of soldiers but I cannot
state the number as they kept coming and going.

Q Who was in charge of these soldiers at your place?

A At first there was a captain in command of these
troops and he stayed at my house for three days. I
was told that there was a major who commanded them
later, but as I do not know the ranks of these S.S.
troops I cannot give you any further information on
that.

Q Did you learn the name of the captain who stayed at
your house?

A No, I did not.

Q You said they were S.S. troops. How do you know
they were S.S. troops?

A I know the S.S. insignia and the S.S. collar badge,
which was worn by the men who were at my home.

Q Did the officer wear any other badges which might
show his rank or the unit to which he belonged?

A No, I did not notice any but some of the soldiers
had the inscription "Adolf Hitler" on the sleeve of
their tunics.

Q Could you tell what sort of a unit this was, whether
it was artillery, infantry, engineers or what?

A I cannot state positively what they were but they
were either infantry or troops who were being used
as infantry.

Q Were there other troops stationed in Mouen besides
those at your house?

A Yes, there were other troops in Mouen during this
period. There was a detachment at M. Pele's and I
believe that No. 1 Company was at M. Foubert's and
the adjoining farm belonging to Mme. Becquiere. I
think No. 2 Company was billeted at M. Pele's,
No. 3 Company was at M. Madeleine's and No. 4
Company was at my home. These troops had indicator
signs on the road outside my place with the inscrip-
tion: "MULER 4".

EXHIBIT No. 13

- Q You refer to them as "companies". Why do you call them companies instead of platoons, squads or sections?
- A The reason why I think they were companies is because there was a considerable number of troops at each place and each company had its own mobile kitchen in a large truck.
- Q Were you a soldier in the last war?
- A Yes, I was an infantry soldier in the war of 1914-18 and was a prisoner of war in Germany. If I had not had two children I would have gone to this one too.
- Q Do you know where the officer in command of all of these companies was located?
- A I do not know where the command post of this group or regiment was.
- Q Did any of the German soldiers ever mention the name of any of their officers or the name of their unit?
- A There was only the German NCO who was in charge of the kitchen and the only time he spoke to us was to get food for his company or unit.
- Q Did you ever see a German officer named Muller?
- A No, I did not get to know the names of any of the officers that were at my place or in Mouen.
- Q I show you this sign marked "MULLER(P)". Is this the type of sign that you saw in the village?
- A Yes, I am certain that there was this sign outside my farm on the roadway with "MULER 4" on it.
- Q Did M. Pele have the reputation in Mouen of being a collaborator with the Germans?
- A That idea got around the parish.

(The witness withdraws).

RECORD OF EVIDENCE

of

MME. EUGENIE MARIE

MME. EUGENIE MARIE is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you please state to the Court your
name, residence and occupation?

A My name is Eugenie Marie. I live at 52, Church
Street, Mouen. I am a housemaid, employed until a
short while ago by M. Pele of Mouen.

Q Were you living at Mouen on or about the 17th of
June, 1944?

A Yes, I was.

Q Did you, on or about that date, see a party of
British soldiers in Mouen?

A Yes, I saw seven British prisoners.

Q How did you know these men were prisoners?

A We knew them by their British uniforms, and they
were walking escorted by armed Germans and holding
their hands at the back of their heads.

Q Did you see any marks or badges on these British
soldiers to show what unit they belonged to?

A No. We were ten metres from the soldiers and we
could not tell what their badges or markings were.

Q At what hour of the day was it when you saw these
British soldiers?

A It was about nightfall, but I cannot state a def-
inite time.

Q I show you this map of the village of Mouen and
ask you to indicate to the Court the point at
which you were standing when you saw the British
prisoners?

A I was standing near here (indicating point "C").

Q How many German soldiers were there escorting the
prisoners?

A I did not count them, but there were at least ten.

Q Did you see any officers or N.C.Os. with them?

A We were not close enough to see their ranks.

Q Will you indicate on this map the point at which
this party was when you first saw them?

A I saw them at this point (indicating point "D")
and they went on along the street towards this
point (indicating point "E").

Q After they reached point "E" where did they go?

A We saw them turn right at point "E" and go up the
lane towards the wood.

Q What did you do after you saw this?

A My father and mother had joined me by this time.
We turned about and went back to my parent's house
which is here (indicating point "M"). We sat in
the house, and perhaps 15 or 20 minutes later we
heard a volley of shots coming from the direction

EXHIBIT No. 14

of the wood in the rear of our house which is the property of M. Pele under rental to Mme. Noel. About ten minutes after we heard the shots we went out into our yard and spoke to Mme. Budowski, who told us that Jan and Antoni had seen the Germans shoot the seven British prisoners. We then returned to our house and went to bed.

- Q Did you see anything in connection with these prisoners on the following day?
- A The next day I saw the French civilians return from digging a grave in the vicinity of this point (indicating point "K"). I was standing in the bedroom window on the upper floor of my house, which is the next house East of my parents' house, at this time, which was about 12 o'clock noon, and I saw six German soldiers near the grave. Three of these soldiers kept going to the wood and dragging out bodies from the wood at this point (indicating point "N").
- Q Are you sure that they came from this point "N" and not from point "H" further up the hill?
- A I saw it clearly, and it was from point "N" on the map and not from point "H". I am certain of this. At this time I was at my own house. These German soldiers brought the bodies over to the grave and threw them in. When the seven bodies had been thrown into the grave a number of the Germans fired revolver shots into the grave. I later saw them take shovels and picks and throw the earth back into the grave on top of the bodies. I returned to my parents' house at this time.
- Q Did you see the Germans after they finished filling in the grave?
- A About three hours after I had seen the burying of these soldiers all six of these German soldiers came to my father's house with pocket-books and papers, which we thought belonged to the dead British soldiers.
- Q What did they do with these objects?
- A One of these German soldiers, whom I took to be a Serjeant because he had a grading on his shoulder lapel, had all this property, and he examined it before us. This property consisted of leather pocket-books and a number of papers as well as currency notes used by British troops. This German N.C.O. took all the money and put it in the fire. They then took the pocket-books and the papers and wrapped them in a sheet of paper which they tied with string. These Germans had come to our place from the grave and asked us for cider, and when they had completed their examination of the pocket-books and papers belonging to the dead prisoners they left our house.
- Q How did you know that this property had belonged to the prisoners?
- A After the German soldiers burnt the money we asked them if this belonged to their dead comrades and the Germans then indicated that it belonged to British soldiers, and they then indicated the direction of the grave at point "K".
- Q Have you ever seen this photograph before? (Exhibit 14A handed to the witness). (N.B. Photograph of Alfred Friedrich with phone to ear).
- A I saw him at M. Pele's house on several occasions, and on a number of occasions he was standing in the pasture next to the house and speaking with the

DEPOSE DU TEMOIGNAGE

DE

Mme EUGENIE MARIE.

LE PRESIDENT: Voulez-vous indiquer au Tribunal vos nom, adresse et occupation ?

R. Je m'appelle Eugénie Marie. J'habite au 52 rue de l'Eglise, Mouen. Je suis femme de ménage et jusqu'à ces derniers temps j'étais employée par M. Pele de Mouen.

Q. Habitez-vous à Mouen aux environs du 17 Juin 1944 ?

R. Oui, j'y habitais.

Q. Avez-vous vu aux alentours de cette date des soldats anglais à Mouen ?

R. Oui, j'ai vu sept prisonniers anglais.

Q. Comment saviez-vous qu'ils étaient prisonniers ?

R. Nous avons reconnu l'uniforme anglais et ils étaient escortés par des soldats allemands armés et tenaient les mains derrière la tête.

Q. Avez-vous vu insignes ou marques sur ces prisonniers anglais indiquant à quelle unité ils appartenaient ?

R. Non. Nous étions à 10 mètres de ces soldats et dans l'impossibilité de distinguer marques ou insignes.

Q. Quelle heure était-il lorsque vous avez vu ces soldats anglais ?

R. C'était à la tombée de la nuit, mais je ne peux indiquer l'heure exacte.

Q. Voici la carte du village de Mouen et je vous demande de montrer au Tribunal l'endroit où vous vous trouviez quand vous avez vu les prisonniers anglais ?

R. Je me trouvais ici (montrant point "C").

Q. Combien de soldats allemands escortaient les prisonniers ?

R. Je ne les ai pas comptés, mais il y en avait au moins dix.

Q. Y avait-il des officiers ou gradés allemands avec eux ?

R. Nous n'étions pas assez près pour distinguer les rangs.

Q. Voulez-vous indiquer sur cette carte l'endroit où se trouvait le groupe au moment où vous l'avez aperçu ?

R. Je les ai vus à cet endroit (indiquant point "D") et ils continuèrent le long de la rue vers ce point (indiquant point "E").

Q. Après avoir atteint le point "E" où se sont-ils dirigés ?

R. Nous les avons vus tourner à droite au point "E" et prendre l'allée allant vers le bois.

Q. Qu'avez-vous fait après avoir vu ceci ?

R. Mon père et ma mère m'avaient rejointe à ce moment. Nous avons fait demi-tour et sommes retournés chez nous. Nous habitons ici (indiquant point "I"). Nous nous sommes assis et environ 15 à 20 minutes plus tard avons entendu une salve venant de la direction du bois derrière la maison qui appartient à M. Pele et qui est louée à Madame Noel. Dix minutes environ après avoir entendu les coups de feu, nous sommes sortis dans la cour et avons parlé à Madame Budowski, qui nous a dit que Jan et Antoni avaient vu les Allemands fusiller les sept prisonniers anglais. Après cela nous sommes retournés chez nous et sommes allés nous coucher.

Q. Avez-vous quoi que ce soit le lendemain ayant trait à ces prisonniers ?

R. Le lendemain je vis des vicils français qui revenaient de creuser une tombe aux environs de ce point (indiquant point "K"). J'étais debout à la fenêtre de ma chambre à l'étage supérieur de la maison, qui est la maison suivante à l'est de celle de mes parents et à ce moment, environ midi, j'ai vu six soldats allemands près de la fosse. Trois de ces

soldats retournèrent plusieurs fois dans le bois et trainerent des cadavres du bois à cet endroit (indiquant Point "N").

Q. Etes-vous sûre qu'ils venaient de ce Point "N" et non du Point "H" plus haut sur la colline?
R. Je l'ai vu clairement et c'était du Point "N" sur cette carte et non du Point "H". Je suis certaine de ceci. Je me trouvais à ce moment dans ma propre maison. Les soldats allemands amenèrent les corps près de la fosse et les y jetèrent. Lorsque les sept corps y furent jetés, les Allemands tirèrent des coups de feu dans la tombe. Plus tard, je les vis prendre pioches et pelles et combler la fosse de terre. A ce moment je suis retournée à la maison de mes parents.

Q. Avez-vous les Allemands après qu'ils ont eu fini de combler la fosse?

R. Trois heures à peu près, après avoir vu l'enterrement de ces soldats, les six soldats allemands vinrent chez non père avec des portefeuilles et des papiers, qui nous avons pensé devaient appartenir aux soldats anglais morts.

Q. Qu'ont ils fait de ces papiers?

R. Un des soldats allemands que j'ai pris pour un sergent car il avait un grade sur son épaule avait tous ces objets et les a examinés devant nous. Le tout consistait en portefeuilles et un certain nombre de papiers ainsi que de billets de banque dont se servent les troupes anglaises. Ce gradé allemand ramassa l'argent et le jeta au feu. Ensuite il plaça portefeuilles et papiers dans une fouille de papier qu'il attacha avec une ficelle. Ces Allemands sont venue chez nous de la fosse et nous ont demandé du cidre. Après avoir complété l'examen des portefeuilles et papiers appartenant aux morts, ils partirent.

Q. Comment savez-vous que ces objets étaient la propriété des prisonniers?

R. Après que les soldats allemands eurent terminé de brûler l'argent, nous leur demandèrent si cela appartenait à leurs camarades morts. Ils répondirent que ces objets appartenaient aux soldats anglais et indiquèrent la direction de la tombe au Point "K".

Q. Avez-vous déjà vu cette photo? (pièce de conviction tendue au témoin) (N.B. Photographie d'Alfred Friedrich avec écouteur téléphonique aux oreilles).

R. Je l'ai vu à plusieurs reprises dans la maison de M. Pelé et aussi plusieurs fois de tenant debout dans le paturage à côté de maison parlant aux autres soldats allemands s'y trouvant déjà. J'en ai déduit qu'il habitait là également.

Q. Avez-vous jamais vu les membres de la famille Pelé parlaient à cet homme?

R. Non.

Q. La Personne dont vous venez de voir la photographie appartenait-il à l'unité logée chez les Pelé?

R. Je ne crois qu'il faisait partie de ce détachement mais je l'ai vu là à plusieurs reprises.

Q. Le soldat dont vous venez de voir la photographie était-il partie du groupe qui vint dans la cuisine de votre père et brûla les effets des soldats anglais?

R. Oui, il était un des six.

Q. En êtes-vous bien sûre?

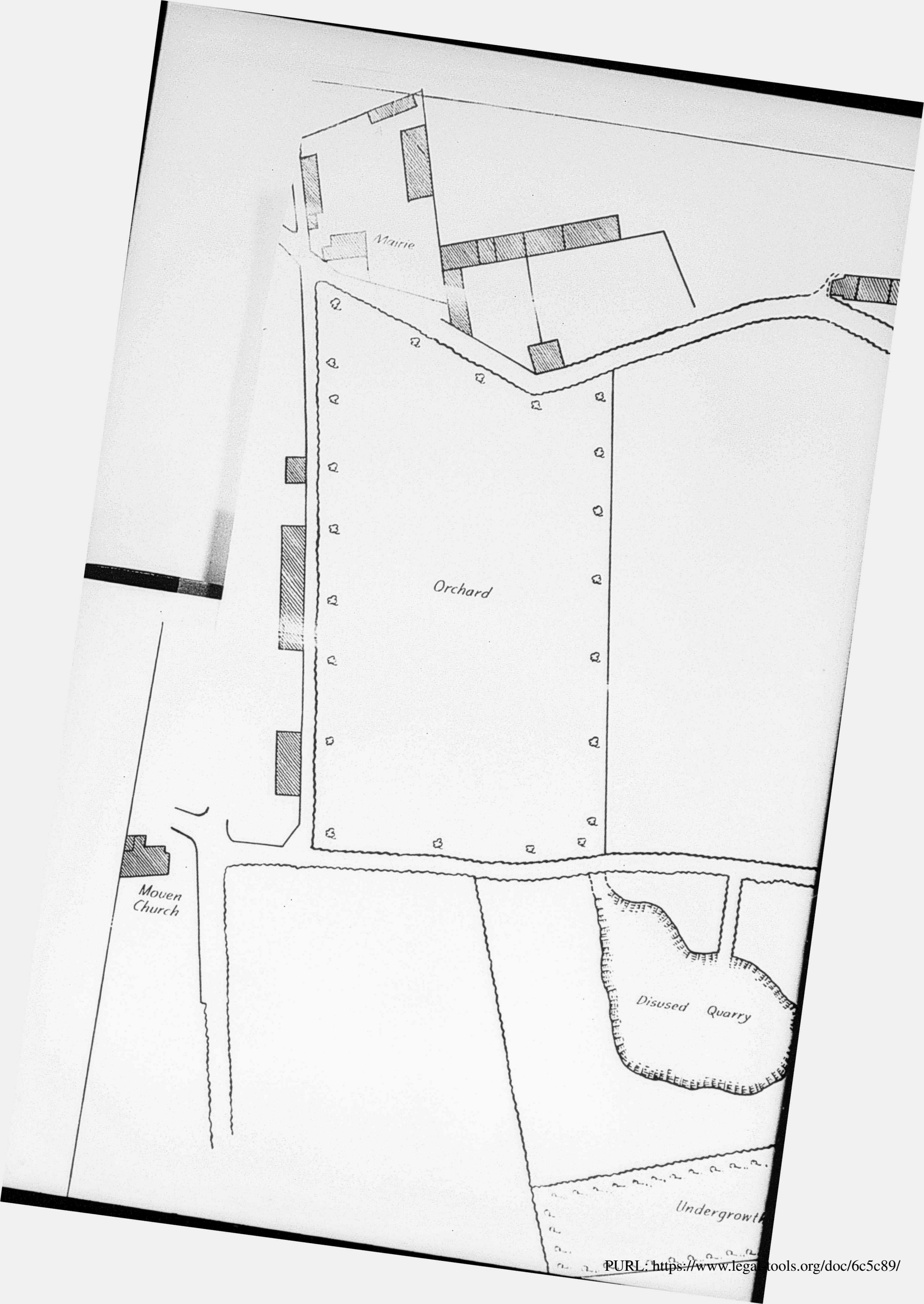
R. Oui, j'en suis sûre.

Q. Savez-vous si si cet homme faisait partie du groupe qui escortait les prisonniers anglais?

R. Nous ne pouvions pas distinguer les visages.

Q. Savez-vous ce qu'il est arrivé plus tard à ce nommé Friedrich?

R. Non.



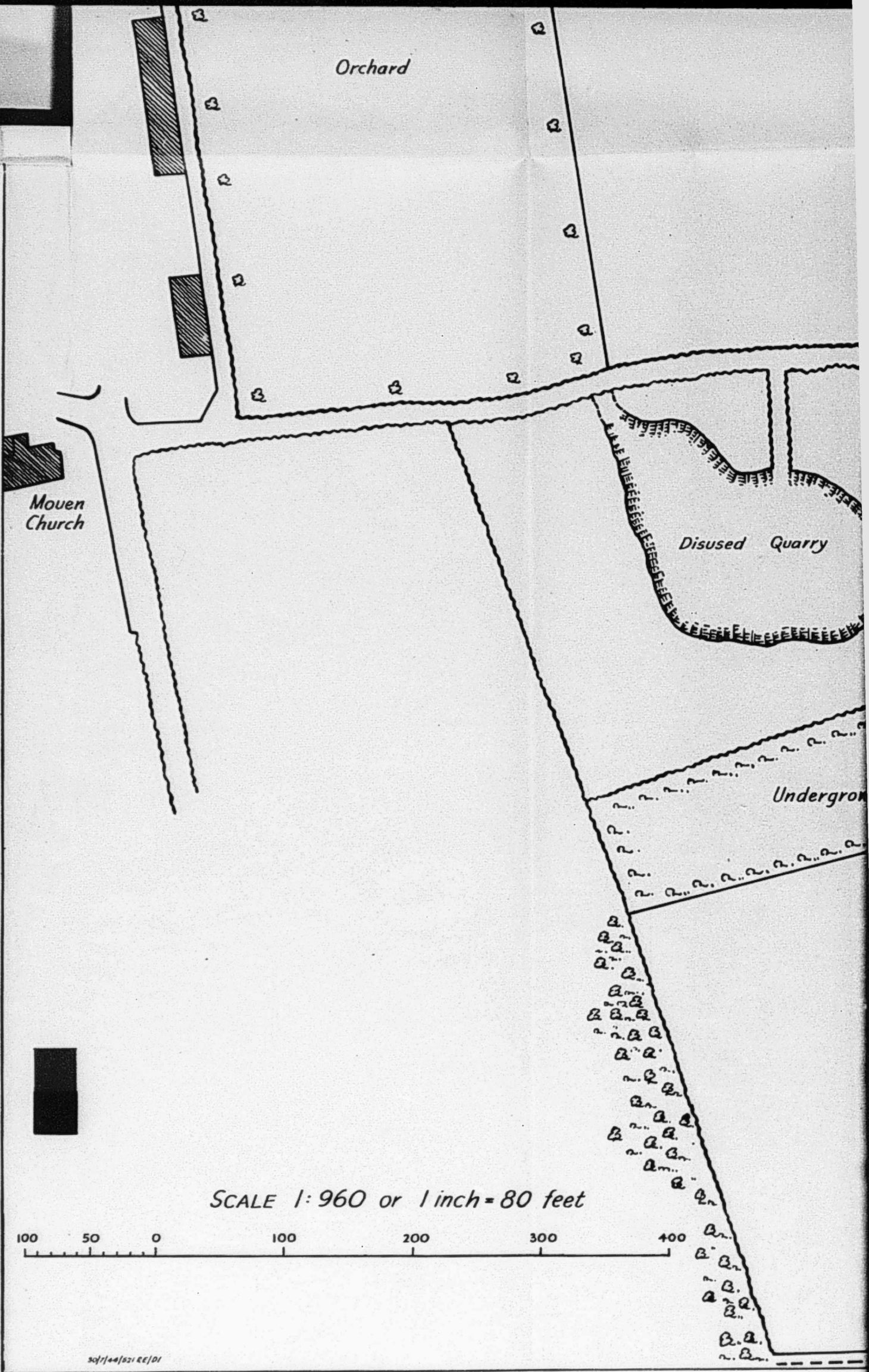
Mairie

Orchard

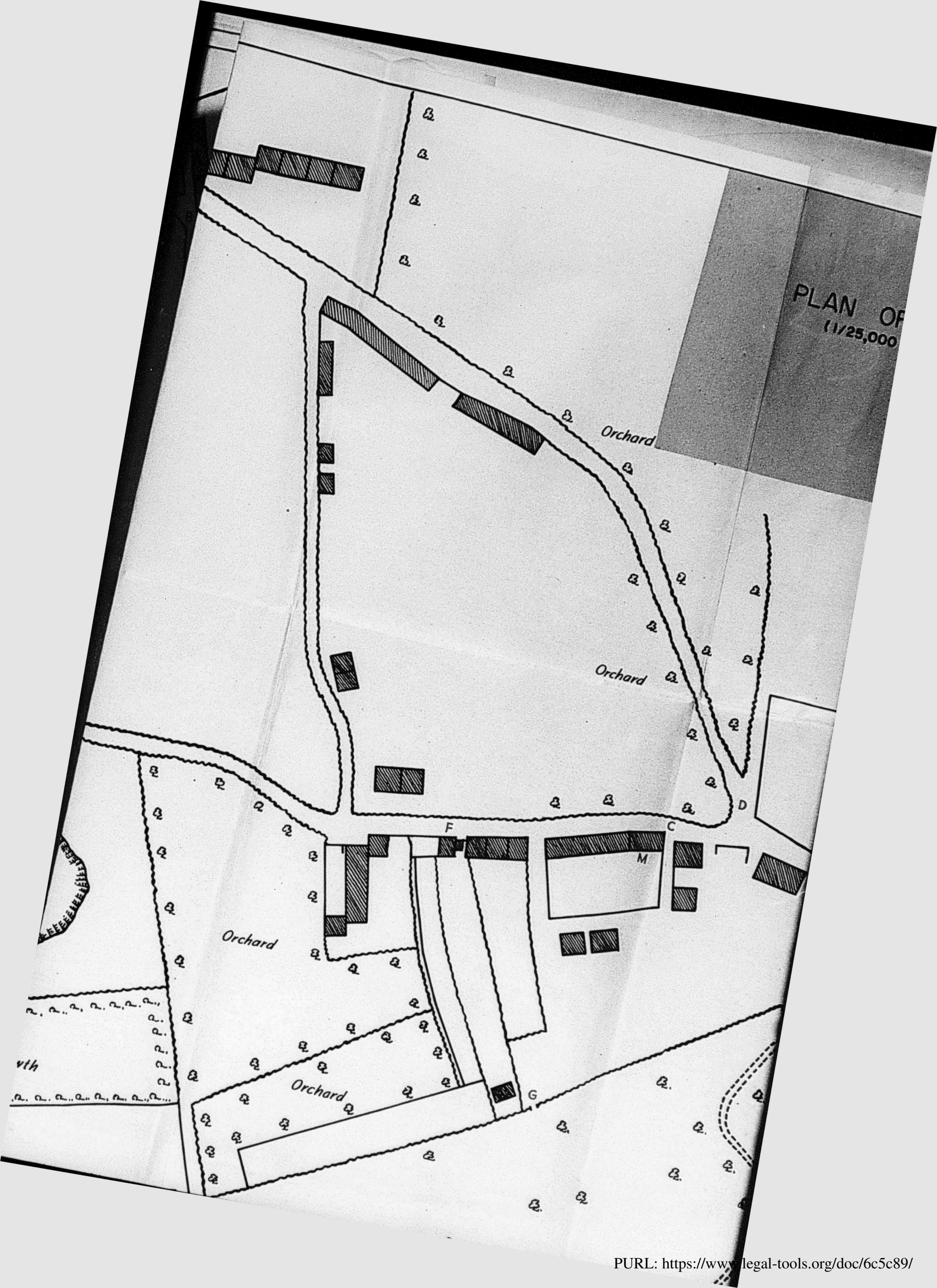
Mouen Church

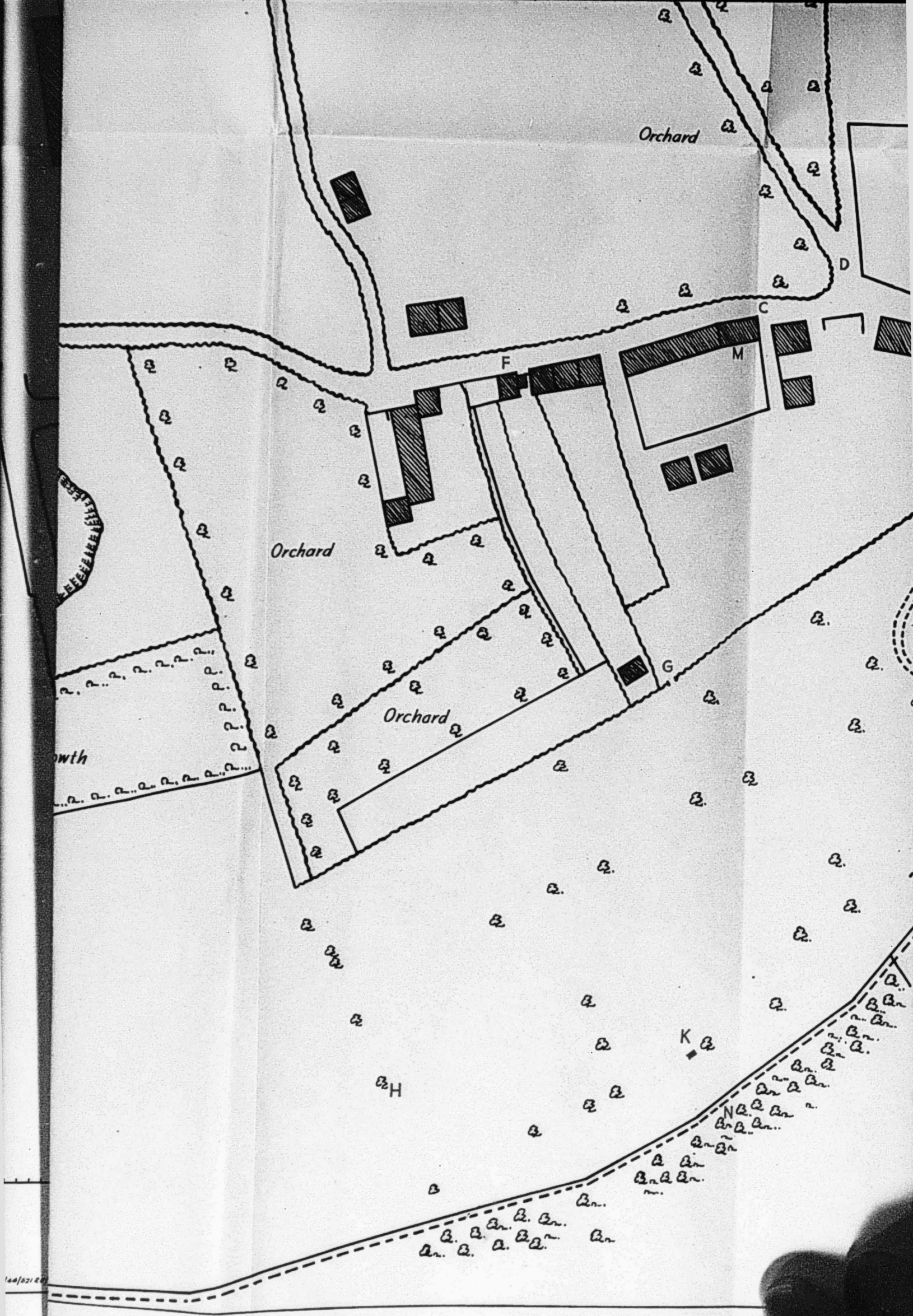
Disused Quarry

Undergrowth



PLAN OF
1/25,000

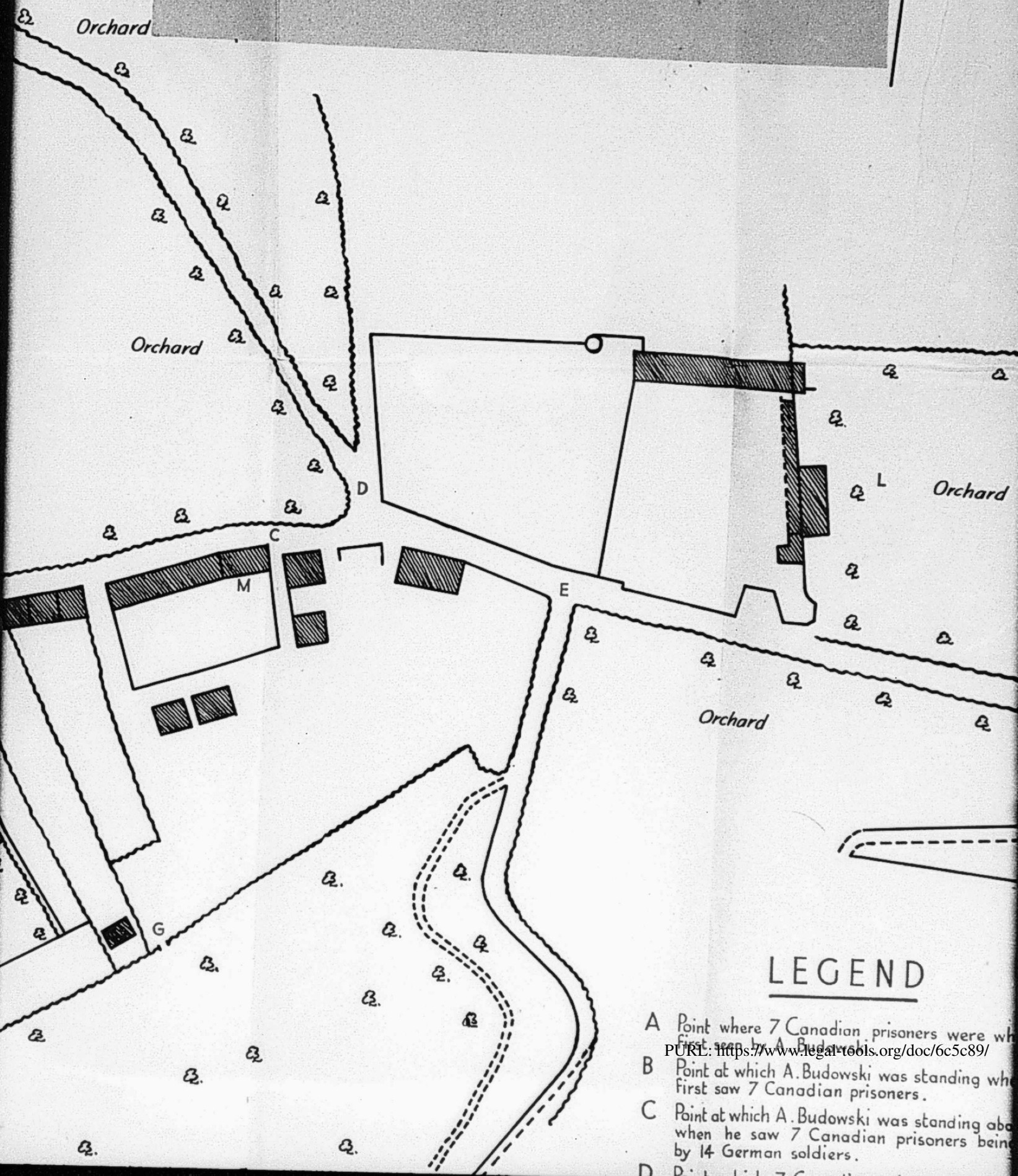




PLAN OF PART OF MOUEN

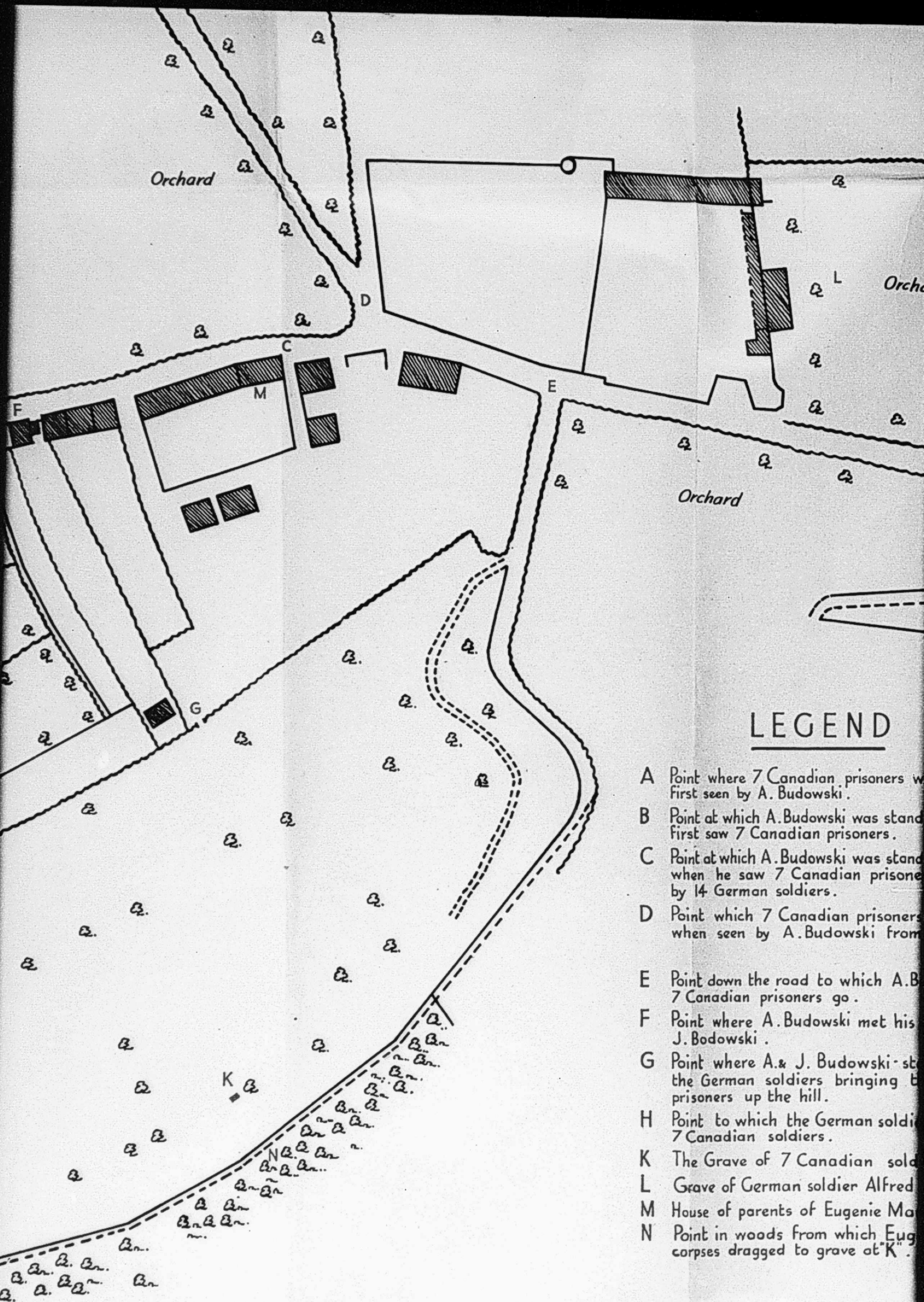
(1/25,000 SHEET NO. 37/16. S.E.)

T.N.



LEGEND

- A Point where 7 Canadian prisoners were first seen by A. Budowski.
- B Point at which A. Budowski was standing when he first saw 7 Canadian prisoners.
- C Point at which A. Budowski was standing when he saw 7 Canadian prisoners being taken by 14 German soldiers.
- D Point at which 7 Canadian prisoners were first seen by A. Budowski.



LEGEND

- A Point where 7 Canadian prisoners were first seen by A. Budowski.
- B Point at which A. Budowski was standing when he first saw 7 Canadian prisoners.
- C Point at which A. Budowski was standing when he saw 7 Canadian prisoners by 14 German soldiers.
- D Point which 7 Canadian prisoners were seen by A. Budowski from.
- E Point down the road to which A. Budowski and 7 Canadian prisoners go.
- F Point where A. Budowski met his brother J. Budowski.
- G Point where A. & J. Budowski - stood when the German soldiers bringing the prisoners up the hill.
- H Point to which the German soldiers brought 7 Canadian soldiers.
- K The Grave of 7 Canadian soldiers.
- L Grave of German soldier Alfred.
- M House of parents of Eugenie Ma.
- N Point in woods from which Eugene's corpses dragged to grave at "K".